

BURKE'S SPEECHES

Burke's Speeches

On American Taxation
On Conciliation with America
&
Letter to the Sheriffs of Bristol

EDITED WITH INTRODUCTION & NOTES BY

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INTRODUCTION.

EDMUND BURKE was born at Dublin, at the end of 1728 or the beginning of 1729. He was first elected to Parliament, as member for the borough of Wendover, at the end of 1765, the year in which George Grenville, the author of the Stamp Act, was dismissed from office. Grenville was succeeded by Lord Rockingham, the head of a party which Burke regarded as the most honest and patriotic party in the country, and which he was largely instrumental in keeping together. Rockingham, by whom the Stamp Act was repealed, remained in office for one year and twenty days. After him came the Chatham ministry. Before the end of the year Chatham's health broke down. The Duke of Grafton then led the ministry, and after him Lord North, who remained at the head of affairs for twelve years, from 1770-1782. The opening years of the reign of George III. were years of disturbance and difficulty. The elevation of Bute to the premiership, after the disgrace of Pitt and the dismissal of Newcastle, had produced a violent prejudice against the Scotch. Then came the troubles with America. There was, besides, the excitement caused by the affair of Wilkes. It seemed likely

that the majority of the House of Commons would arrogate to itself the right of determining whom the constituencies might elect to sit as their representatives. There were violent riots in London, provoked by the sympathy of the mob with Wilkes, and by general detestation of the arbitrary conduct of the House of Commons. Burke's view of the period, his explanation of the disorders, and the remedies which he proposed, are set forth in his pamphlet on *The Cause of the Present Discontents*, published in 1770.

Burke sat in the Parliament of 1774 as member for Bristol, of which city he continued to be the representative for six years. He made himself unpopular with his constituents by the support which he gave to the abolition of restrictions on Irish trade, and to the removal of unreasonable disabilities on Catholics. In this year he made his speech on American taxation, and in 1775 the speech on Conciliation with America. In 1777 appeared his Letter to the Sheriffs of Bristol on the affairs of America. In 1780 matters were complicated at home by the anti-popery Gordon riots. Burke was endangered because he, as a Whig, had advocated a milder treatment of Catholics. It was in this year that he presented to the House his scheme of Economic Reform. His object was to abolish all the lucrative sinecures, by means of which the Court could corrupt the House of Commons, and turn it into a mere tool of despotism. This was Burke's substitute for those schemes of organic reform which he always opposed. In this year he lost his seat for Bristol, but was returned as member for the borough of Malton. When Lord North's government came to an end in 1782, the

Rockingham party again came into power. Notwithstanding the services which Burke had rendered to the party, he was not admitted into the Cabinet. Lord Rockingham died after three months of office. The Ministry was split up. Some of them supported the claims of Shelburne, others those of Fox, who was now the head of the Rockingham section of the Whigs, to the vacant premiership. The king preferred Shelburne. It was unfortunate that the whole Whig party could not act together. We must regret that Burke rendered the party powerless by aiding to split it into two halves, and that he offered a violent and factious opposition to the Ministry. The Shelburne administration fell in the spring of 1783, and Fox and Burke, to their disgrace, went over to their old enemy Lord North. A Coalition Ministry was formed, but was dismissed in December, 1783, on the rejection of Fox's India Bill. Pitt was made prime minister, and the power of the Whigs was at an end for half a century. Burke began by opposing a measure brought forward by Pitt, which was practically a proposal to give to Ireland complete commercial freedom, on condition that she paid a contribution from her surplus revenue to the Imperial Treasury. Morley points out that Burke's conduct can only be justified on the ground that Pitt's proposals "amounted to an attempt to extract revenue from Ireland, identical in purpose, principle, and probable effect with the ever memorable attempt to extract revenue from the American colonies." In 1787 he opposed Pitt's proposed treaty of commerce with France, "which enabled the subjects of both countries to reside and travel in either without license or passport, did away with all prohibitions of

trade on either side, and reduced every import duty."¹ But, so far as Burke was concerned, the most remarkable event of the session was, of course, the impeachment of Warren Hastings. He opened the case in 1788, and the verdict was delivered in 1795. To the affairs of India, generally, Burke really devoted the labour of fourteen years, from 1781 to 1795. Burke next opposed Pitt's Regency Bill, the principle of which was that the Prince of Wales could not claim to act as Regent, but that it lay with the Parliament to appoint the Regent and to define the terms on which he held office. During this period, Burke appears, by his unreasonableness, to have lost his influence in the country, and the confidence of his party and his friends. But with the French Revolution all this was changed. On this subject he was at variance with Fox from the first. In 1790 he supported the bill for the increase of the English army, and he took occasion to declare that he would not remain on terms of friendship with any one who should in any way further the introduction of a democracy like that of France. Fox expressed in the House his high sense of the value of Burke's friendship. When Sheridan dissented from the views expressed in Burke's speech, Burke openly broke with him. In the same year, when Fox proposed, what Burke had before advocated, namely, a repeal of the Test and Corporation Act, Burke turned round and opposed it, declaring that Dissenters were disaffected citizens. It was in November, 1790, that he published his *Reflections on the Revolution in France*. It was hailed with delight by the Crown and the Tories. In 1791 Burke openly broke with Fox on the subject of

¹Green's *Short History of the English People*, p. 772.

the French Revolution. In August of the same year he published his *Appeal from the New to the Old Whigs*, in which he explained and defended his views on the French Revolution, and vindicated himself against the charge of having abandoned, in his criticisms on that event, the Whig principles which he had professed through life. A few months after the publication of the *Reflections*, he had issued his *Letter to a Member of the National Assembly*, which was full of violent abuse of the Revolution and its authors. In the same letter he hinted that a European intervention in favour of the French king might become necessary. By the end of the year 1791 he had himself become convinced that it was necessary. Henceforth he devoted himself to the advocacy of war against the French, and of repressive measures at home to stop the spread of Jacobin opinions. It was the murder of the French king which roused opinion in England to sympathy with Burke. In 1794 he retired from Parliament. Arrangements were being made for creating him a peer, but, in August of that year, he was completely broken by the death of his son. The question of the peerage was dropped, and a pension was granted to him. His *Letter to a Noble Lord* is a vindication, at once spirited and pathetic, of his right to a pension on the score of his political services. In 1795 he wrote the *Letters on a Regicide Peace*, which are, like the rest of his writings on the subject, characterized by violent hatred of all that was being done in France. The death of his son threw a profound melancholy over his closing years, and he died July 9th, 1797.

“Of all Burke’s writings none are so fit to receive unqualified and unanimous admiration as the speech on

American taxation, the speech on Conciliation with America, and the Letter to the Sheriffs of Bristol. It is no exaggeration to say that they compose the most perfect manual in our literature, or in any literature, for one who approaches the study of public affairs, whether for knowledge or practice. They are an example without fault of all the qualities which the critic, whether a theorist or an actor, of great political situations should strive, by night and by day, to possess. If the theme with which they deal were less near than it is to our interests and affections as free citizens, these three performances would still abound in the lessons of an incomparable political method. . . . we should still have everything to learn from the author's treatment; the vigorous grasp of masses of compressed detail, the wide illumination from great principles of human experience, the strong and masculine feeling for the two great political ends of Justice and Freedom, the large and generous interpretation of expediency, the morality, the vision, the noble temper."¹

The more carefully the pieces contained in this volume are studied, the truer does Morley's verdict appear. A teacher can do little more than repeat to his pupils the advice of Fox, "to read the speech on Conciliation by day, and meditate upon it by night: to peruse it again and again, study it, imprint it on their minds, and impress it upon their hearts." He who will do this will be rewarded by attaining 'large and liberal ideas in politics.'

It is not necessary to go minutely into contemporary politics to appreciate these writings. I have not

¹ Morley, *Burke*.

attempted more in this Introduction than to give just so much information as is necessary to enable the reader to understand Burke. It is characteristic of Burke that the permanent value of his work is independent of the rightness or wrongness of his judgment on a particular question. The value of a set of principles is not affected by an erroneous application of them. Even those, therefore, who disagree with Burke's American policy have everything to learn from his American speeches and writings. Burke did not really understand the French Revolution, but his *Reflections* on it have a universal and permanent value as a philosophical vindication of society, and an exposition of the eternal conditions of order. We go to Burke not so much for a history of a particular crisis, as to learn how to approach and treat political questions. Nowhere is his political method more clearly explained than in these American writings. Nowhere are the obligations of an Imperial power, and the great principles which should control Imperial policy, more luminously set forth. One explanation then of Burke's lasting fame is this, that he always rises above the particular incidents treated of, to the explanation of them, and that he teaches those who will listen to him to rise above the disturbing influences of private interests and passions, and to judge events and regulate conduct calmly and dispassionately, from the point of view of prudence and morality.

Another circumstance which places Burke high in the esteem of philosophical students of politics is this, that in his writings is to be found a treatment of many forms of government. In the British constitution he saw 'a nice equipoise' of monarchical, aristocratic, and demo-

cratic elements: and he believed that the safety of English liberties depended on the preservation of that equipoise. When he saw any one of these elements unduly encroaching on the rest, he came to the rescue of the weaker parts. So that, if we study his writings through, we find an appreciation of all these elements, and a determination of their proper limits. The pamphlet on the *Present Discontents* points out the danger of an absolute Crown and Court, and advocates what we should call 'liberal' principles. In the *Reflections on the French Revolution*, on the other hand, we find an appreciation of the merits of aristocracy and of monarchy.

Then, again, Burke influences by his language. In other speeches and writings we find examples of the most gorgeous rhetoric, of extravagant declamation, of fierce denunciation. The pieces printed in this volume are models of calm persuasive argumentation. There are passages of striking eloquence, such as the description of the American fisheries, but they are introduced naturally and without effort. They are called forth by the subject and the feelings which it necessarily excites. But, taking the volume as a whole, the reader cannot fail to be struck by the skill with which Burke gives to his arguments the air of truisms, and to his policy the air of common sense. He wants, not to threaten or to ridicule, but to conciliate and to persuade. It is not meant by this that he is dull or trite. Common sense, as applied to Burke, does not mean commonplace. These speeches, like all that he said or wrote, are conspicuous for grasp of the subject, for knowledge of human nature, for far-sighted prudence, and wide experience. "You have got," said an intelligent American on hearing his first speech, "a most

wonderful man here ; he understands more of America than all the rest of your House put together." Nor is it meant that the speech is unrelieved by bold and striking expressions. Such are never absent in the speeches of Burke. After the delivery of a particular passage,¹ Lord John Townshend, who had retired into the gallery with some friends, exclaimed aloud, "Good God ! what a man is this ! how could he acquire such transcendent powers !" It was owing precisely to those qualities which have given to the productions of Burke a permanent value, and won for them a lasting admiration, that they failed to produce an effect upon the audience to which they were addressed.

For Englishmen, at any rate, the speeches and writings of Burke derive an added interest from the patriotism which inspires them. His fears for England called forth the *Reflections on the Revolution in France*. They explain his deep concern in the American question. In this connection, the following passage from his *Address to the King*² deserves careful study :—"It is not, Sire, from a want of the most inviolable duty to your Majesty, not from a want of a partial and a passionate regard to that part of your Empire in which we reside, and which we wish to be supreme, that we have hitherto withstood all attempts to render the supremacy of one part of your dominions inconsistent with the liberty and safety of all the rest. The motives of our opposition are found in those very sentiments which we are supposed to violate. For we are convinced beyond a doubt that a system of dependence, which leaves no security to the

¹ P. 56, l. 27,—“If you apprehend,” etc.

² Published in vol. v. of Bohn's edition of *Burke's Works*.

people for any part of their freedom in their own hands, cannot be established in any inferior member of the British Empire, without consequentially destroying the freedom of that very body, in favour of whose boundless pretensions such a scheme is adopted. We know and feel that arbitrary power over distant regions is not within the competence, nor to be exercised agreeably to the forms, or consistently with the spirit, of great popular assemblies. If such assemblies are called to a nominal share in the exercise of such power, in order to screen, under a general participation, the guilt of desperate measures, it tends only the more deeply to corrupt the deliberative character of those assemblies, in training them to blind obedience, in habituating them to proceed upon grounds of fact, with which they can rarely be sufficiently acquainted, and in rendering them executive instruments of designs, the bottom of which they cannot possibly fathom.

To leave any real freedom to Parliament, freedom must be left to the Colonies. A military government is the only substitute for civil liberty. That the establishment of such a power in America will utterly ruin our finances (though its certain effect) is the smallest part of our concern. It will become an apt, powerful, and certain engine for the destruction of our freedom here. Great bodies of armed men, trained to a contempt of popular assemblies representative of an English people : kept up for the purpose of exacting impositions without their consent, and maintained by that exaction ; instruments in subverting, without any process of law, great ancient establishments and respected forms of governments ; set free from, and therefore above, the

ordinary English tribunals of the country where they serve;—these men cannot so transform themselves, merely by crossing the sea, as to behold with love and reverence, and submit with profound obedience to the very same things in Great Britain which in America they had been taught to despise, and had been accustomed to awe and humble. All your Majesty's troops, in the rotation of service, will pass through this discipline, and contract these habits. If we could flatter ourselves that this would not happen, we must be the weakest of men : we must be the worst, if we were indifferent whether it happened or not. What, gracious sovereign, is the Empire of America to us, or the Empire of the world, if we lose our own liberties ? We deprecate this last of evils—we deprecate the effect of the doctrines which must support and countenance the government over conquered Englishmen."

The four Colonies constituting New England, namely, Massachusetts, New Hampshire, Connecticut, and Rhode Island, owed their origin to the Puritans, the first of whom went over in the *May Flower* in 1620. New York was first colonized by the Dutch at the beginning of the 17th century. It was ceded by them to Charles II., who granted it to his brother the Duke of York, from whom it derives its present name. It was originally called New Amsterdam. New Jersey, which, at first, formed part of the Dutch settlement, was separated from it by the Duke of York, and sold to Lord Berkeley and Sir George Carteret. The name was given in honour of Carteret's defence of the island of Jersey against the forces of the Long Parliament. Lord Berkeley sold his share to an association of

Quakers, and the district was divided between them and Carteret. Under Queen Anne the heirs of Carteret surrendered their rights to the Crown, and the two districts were reunited under one government. The plural name Jerseys was, however, still retained. Pennsylvania was opened out by the Quaker Penn, who in 1681 obtained from the Crown a grant of forest (*sylvan*) land beyond the river Delaware. The State of Delaware was in some measure dependent on Pennsylvania. It passed from Dutch to English hands along with New York. The name is derived from an Englishman who was Captain General of Virginia in the time of James I. Maryland was named after the Queen of Charles I., who made Lord Baltimore proprietary of the territory. His name is preserved in that of the capital of the state. Virginia, the earliest of the chartered colonies, was named in honour of Queen Elizabeth. But it was not really settled until the time of James I. The rights of the company to which it was assigned passed to the Crown in 1624. The territory of North and South Carolina was granted by charter to a number of proprietaries by Charles II. in 1663. Their rights reverted to the Crown in 1729. Georgia, named after George II., was established by some philanthropic Englishmen who obtained a charter from the Crown in 1732.

At the time when the troubles with England began, the population of these thirteen colonies was about two millions of European blood, and half a million of others. In each Colony there was an elected Assembly, a Council, sometimes nominated, sometimes elected, and a Governor nominated by the Crown, or when there were proprietors, by them jointly with the Crown.

In Connecticut and Rhode Island alone the Governor was elected.

Grenville conceived the idea of raising revenue in America on the ground that the Americans should help to defray the expenses of the Seven Years' War, which had been undertaken partly in their defence. His suggestion in 1764 to raise money by a Stamp Duty, or by any other duty which the colonists might prefer, reached them just when they were suffering from a war with the Indians on their frontiers, and when they were irritated by measures which England had recently taken to deprive them of the profits of their large contraband trade. They were still further irritated by certain extra duties which Grenville had just levied on their foreign imports, though they did not deny the right of Parliament to levy duties of that kind.

To Grenville's suggestion they replied that they would not accept the Stamp Duty or any alternative to it, on the ground that they could not lawfully be taxed by a House of Commons in which they were not represented. If they granted any supplies, it would only be through a vote of their own Assemblies, on a requisition made by the Crown through the Secretary of State. In the session of 1765 Grenville simply proposed to levy the Stamp Duties in America, hinting at the same time that this was only a first instalment of the revenue which he proposed to raise in America. The Bill was passed almost without opposition, the House even refusing to look at petitions and remonstrances which some of the Colonies had addressed to it.

When the news of the passing of the Act reached America, Virginia set the example to the other Colonies

of addressing remonstrances and petitions for repeal through the Assemblies to the Crown. At the same time, the necessity of joint action being felt, several Assemblies deputed delegates to a joint congress to be held in October, a month before the Stamp Act was to come into force. Delegates from nine Assemblies met together. Resolutions were passed denying the right of Parliament to tax America, and petitions to the King and the Parliament were agreed upon. Associations were also formed for discouraging the importation and use of British manufactures until the Stamp Act should be repealed. In Boston there were serious riots.

When the first of November came it was found practically impossible to administer the Act, either because the people would not allow the stamped papers to be landed, or because those who had been appointed to distribute the papers resigned their posts when the time came. The Rockingham Ministry, who had not favoured the Stamp Act, were perplexed equally by the difficulty of enforcing it and by the dangerous precedent of conceding a repeal. There was an important debate when Parliament met in January, 1766. Pitt urged that the right to legislate did not include the right to tax, and he denied that the Americans were in any sense represented in the House of Commons. In reply, Grenville quoted precedents to show that taxation and representation had not always or necessarily gone together, and he said that the seditious spirit of the Colonies was encouraged by factions in the House. In reply, Pitt deprecated an appeal to obscure precedents in such a case. He lauded the spirit which

the Americans had shown in resisting the Act, and argued that a victory over America in such a cause would be fatal to constitutional liberty in England. He advised that England's unlimited power of legislating for America should be affirmed, but that her right to tax should be denied, and that the Stamp Act should be immediately and totally repealed. Certain correspondence with America was then laid before the House, as were also petitions from the merchants of large towns in England praying for a repeal of the Act, on the ground that the interruption of American trade, due to the disturbances caused by the Act, would be the ruin of English merchants. At the same time the evidence of Franklin and other Americans was taken at the bar of the House as to the determination of the Americans to resist such taxation, and to abstain from the use of English goods until it was abandoned. After this interval proposals in accordance with Pitt's speech were laid before the House. It was found impossible to maintain the distinction between legislation and taxation, and an Act Declaratory of the absolute sovereignty of England over the Colonies was passed. But the proposal to repeal the Stamp Act met with a resolute opposition from the leaders of the late Administration, from many country gentlemen, who feared that concession to violence would constitute a dangerous precedent, and from the King's friends.

Conway, on behalf of the Government, asked leave to bring in a bill for the repeal of the Act, on the ground of the loss to English commerce involved in a struggle with America, and of the difficulties and dangers of a war with that country, which would probably be aided

by France and Spain. After speeches from Grenville and Pitt, his motion was carried by a majority of 108. On the third reading of the Bill, there was a violent debate. Pitt again deprecated a war with America. But Grenville still insisted that the expense of the Seven Years' War justified the taxation of America, and that, therefore, the Act should be enforced. "If the tax," he said, "was still to be laid on, I would lay it on." The motion for repeal, however, was carried by a larger majority than on the first reading. By the aid of the independent Peers the Bill was passed in the House of Lords by thirty-four votes. At the same time, the obnoxious duties which had been imposed on the foreign trade of the colonists were altered or removed, and the restrictions upon their trade with some ports in Dominica and Jamaica were abolished. On the whole, America received with expressions of satisfaction and loyalty what had been done by England. Massachusetts remonstrated against the punishment of the rioters, and New York positively refused to obey the clause in the American Mutiny Act, which required the colonists to supply the English troops with some of the necessaries of life. For this act of disobedience the New York Assembly was afterwards temporarily suspended by Act of Parliament.

In 1767 Townshend, as Chancellor of the Exchequer, again attempted to raise a revenue in America by imposing import duties on glass, paper, red and white lead, painters' colours, and tea. He computed that they would yield between £30,000 and £40,000 a year. This Act passed both houses. The receipt of this news provoked fresh opposition in America. In February,

1768, the Assembly of Massachusetts, in spite of the opposition of the Governor, Bernard, sent a circular letter to the Colonies urging resistance to these duties. For this the Assembly was dissolved by the Colonial Secretary, Lord Hillesborough, in the beginning of July. At the same time there was a riot in Boston owing to the attempt of the Custom House authorities to exact the dues on the cargo of a ship called *The Liberty*. A letter was also received from Lord Hillesborough stating that British troops and men-of-war had been ordered to Boston to maintain order. Then, on the refusal of Governor Bernard to convene a new Assembly without orders from home, a Convention of deputies from the districts of Massachusetts met in Boston. On the day of the dissolution of this Convention, the troops landed in Boston. During this time associations to prevent the use of English goods were formed throughout the Colonies, and in many places there were quarrels between the local Assembly and the Governor.

Parliament met in November, 1768. The action of the Assembly of Massachusetts and of the Boston rioters was condemned, and an address was voted to the King, urging that full information should be collected, and that, if necessary, an obsolete statute of Henry VIII. should be revived, which provided for the trial in England of persons accused of treason outside England. The alleged reason for this proposal was that verdicts could not be obtained from an American jury. At the same time, Bernard, who was a most unpopular Governor, was made a Baronet.

In May, 1769, eight days before the close of the

session, the Ministry decided that, whatever might be done during the next session about the repeal of the obnoxious duties, that on tea, at least, should not be removed, and this decision was communicated to the Colonies by Lord Hillesborough.

The next session commenced in January, 1770. In the speech from the throne the term "highly unwarrantable" was applied to the proceedings in America. Chatham deprecated this expression, again lauded the spirit of the Americans, and advocated a conciliatory policy towards them.

The news that the Government meditated an enforcement of the statute of Henry VIII. produced fresh disturbances in America. The use of English imports was prevented by violence, and all informers, and all who in any way aided Government, were tarred and feathered. In March, 1770, Lord North declared his readiness to abolish all the duties except that on tea. The decision of the Cabinet to make this concession had been communicated by Lord Hillesborough in 1769 in a Circular Letter to the Colonial Governors. The letter stated that the Government entertained no design to propose to Parliament to lay any further taxes on America for the purpose of raising a revenue. Lord North said that, in the face of the violence of the Americans, he could not go further in the way of concession. He also urged that the cost of tea was diminished to the Americans because, when it was imposed at threepence in the pound, a duty of nearly one shilling a pound, which was formerly levied in England, had been taken off in the interest of the East India Company for a period of five years. This was in 1767,

and in 1772 the Act was renewed for another five years. The Opposition advocated the total repeal of the duties on the ground that it was foolish to irritate America by continuing a duty which, partly by smuggling, partly by the determination of America to import nothing from England, had during the last year brought in only £300. Burke spoke in this sense, but the motion for a partial repeal was carried. On the same day there was a violent affray between the town-people and the English troops in Boston. It must be recorded, to the credit of American justice, that Captain Preston and his soldiers were acquitted on trial. The concessions made by Lord North were sufficient to restore tranquillity throughout a great part of America for the three years which followed. Commercial activity was restored, except in the matter of tea, which the Americans refused to buy. But it still rankled that the unprofitable tea duty had been retained at the instance of the King, as an assertion of England's right to levy taxes. As before, so now, it was in Massachusetts that the discontent was most pronounced. Government should have taken advantage of this period to restore the old bonds of union with America. But George III. would not renounce his right, and Lord North would not, or could not, resist him.

In 1773 the East India Company applied to England for a loan of one and a half millions sterling. The illicit tea traffic of the Colonies had spoilt their sales of tea, of which they had a large stock lying in their warehouses. Lord North proposed to grant in perpetuity a full drawback of the English duty on all tea of the East India Company exported to America, and

also to allow the Company to export direct on their own account. This proposal was carried, and in consequence the Americans could purchase tea at a lower price than they had paid before the colonial duty was imposed. But the irritation caused by the presence of the English revenue officers had not died away in Massachusetts and Virginia. In Rhode Island, a King's ship employed in the repression of smuggling had been destroyed. The Assembly of Massachusetts was irritated at the refusal of England to accede to its request for the removal of Hutchinson and Oliver, the Governor and Lieutenant-Governor, some of whose private correspondence had been made public, showing that they were in favour of a repressive policy on the part of England. When the ships with the East India Company's tea on board arrived in Boston harbour, they were boarded, and the tea was thrown into the sea. When the news of this outrage reached England Lord North proposed that from June 1st "it should not be lawful for any person to lade or unlade, to ship or unship, any goods from any quay or wharf within Boston harbour." Power was to be reserved to the King of restoring to Boston its privileges as a harbour, so soon as order was restored there, and compensation made to the East India Company for the tea destroyed. Burke opposed this measure, but it was passed. At the same time a Bill was passed making the Council of Massachusetts nominative instead of elective, and transferring to the Governor the power of appointing and removing the judges and other officers of the law who had previously been elected by the Council. A Bill was also passed for quartering and billeting troops

throughout the Colonies. This attack on chartered rights alarmed all the Colonies, who determined to unite with Massachusetts for the defence of their liberties. Burke's speech was made in support of a motion for the repeal of the tea duty which obtained only forty-nine votes. The substance of the speech is as follows :—

PART I.

Instead of being content to devise some expedient for quieting the disputes with America for the moment, we had better review the whole series of our transactions with that country, in order to see whether experience can suggest any permanent solution of our difficulties. The fact that the Ministry almost immediately after the Repeal of the Stamp Act abolished certain duties previously levied in America, shows that they recognize what is proved by experience, viz., that the abolition of some duties by England does not make the Americans inclined to throw off all taxation and to rebel against English rule. It cannot be maintained that the duty on tea must be kept in order to give meaning to the preamble of the Act by which it was imposed. That preamble is meaningless already. It states that the duties imposed by the Act were necessary, and yet five-sixths of them have been already abolished. The Ministry cannot at the same time maintain that the five duties were repealed in the interest of trade, and that the repeal of the sixth will lead to a rebellion in America. Why should the repeal of one duty produce insubordination when the repeal of five did not? And if it is safe to repeal five duties for the sake of trade, why cannot the sixth be safely repealed for the sake of trade too? The argument about trade is a mere pretence. So far as the interests of trade go, it would have been better to abolish the duty on tea and retain the five duties which have been repealed. Again, the tax upon tea in America prevents the sale of Indian tea in that country. Thus the finances of India are disturbed, and India becomes a burden on the English Exchequer. The tax also encourages smuggling. The result is that the nominal retention of the tax

only irritates America without enriching England. The result of substituting a duty of threepence in America for a shilling export duty in England has been to irritate America while impoverishing England. No wonder the Americans are irritated when they see England deliberately sacrificing revenue, apparently for the sole purpose of insulting and annoying them! The question then is this—Is it consistent to persist in declaring the expediency of raising revenue in America by taxation which is confessedly inadequate to supply that revenue? It is absurd to say that England cannot repeal the tax without a sacrifice of her dignity. Her dignity is not worth the price she is asked to pay for it. Moreover, as repeal is inevitable, the sooner and the more graciously it is granted, the less will be the loss of dignity.

Pp. 14-22. Ministers cannot object to the repeal of the tax on the ground that it is impossible to make concessions to rebels, for that is precisely what they did themselves in 1769. When in that year the Americans rose against taxes imposed by Parliament for the sake of revenue, the Ministers went out of their way to threaten them with punishment. Yet in a few days those same Ministers even violated constitutional principle and usage to repeal those very taxes, and to assure the Americans that England never had taxed and never would tax America for the sake of revenue. The most dignified course would have been first to have made concessions, and then to have used force if the concessions were not properly received. In first threatening and then yielding, Ministers acted not only without dignity, but in a manner calculated to bring Parliament into contempt. For they communicated direct with America without consulting Parliament, and they yielded to America that repeal which they refused when it was asked for by Parliament. But at any rate the principle of taxing America for revenue stands condemned by the Ministers themselves. The faith of the Sovereign has been pledged for the abandonment of such taxation. It is impossible to punish the Americans for resisting taxes which the Government had promised them should never be imposed. It is absurd for the Ministers to say that they repealed the taxes not to please the Americans, but for the advantage of British trade. They told the Americans that the repeal was for the purpose of conciliating them: and a

boon to *British* trade could not conciliate America. Nor is it true that taxes on exports from England are condemned by the principle of England's commercial policy. Exports to the Isle of Man are more extensively and more highly taxed than exports to America, though smuggling is more difficult to prevent there. The truth is that the American taxes were repealed because the Ministry were afraid of the Americans; those in the Isle of Man are retained because they are not afraid of that little island. But the Ministry have not been honest even with regard to their promises. They promised repeal, but they have quietly let the tax on tea remain. Either let them give up the tax as they have promised, or, if they want a commercial instead of a revenue tax, let them abandon the tax on tea, and tax some more fitting commodity. We cannot possibly irritate America more than we have done. If we treat the Americans honestly and fairly it is reasonable to suppose that we shall conciliate them.

PART II.

From the first connection of England with the Colonies down Pp 22-31
to 1764, she had carefully avoided every appearance of taxing them for the sake of revenue. She had confined herself to controlling American trade for her own benefit. To such control, however irksome it might be, America had never objected. What alarmed America was the initiation of a policy of taxing her for the sake of revenue. She accepted the commercial dictation of England partly because she was used to it, partly because the influence of English capital stimulated her own prosperity, and above all, because in everything but her own commerce she was free and self-governed as England herself was. The assertion frequently made, that the Act of Navigation was never obeyed in America is false. At the close of the last war large additions were made unnecessarily to the English army. Parliament was induced to sanction these additions because it was led to hope that America might be made to pay for them. Townshend first suggested this—Grenville proposed and carried it. Unfortunately Grenville's training had not fitted him for the problem with which he had to deal. The routine of official life had unfitted him for dealing

with emergencies. As a lawyer he had an exaggerated idea of what it was possible to effect by legislation alone. He was wanting in knowledge of human character, and he did not see that law can effect nothing unless it commands the support of those for whom it is passed, and unless circumstances aid its working. Grenville did not see that his rigid enforcement of the Navigation Act, with a view to the suppression of contraband trade, was fatal to the expansion of legitimate American commerce. And it unfortunately happened that his strictness in this respect coincided in point of time with other repressive measures, which naturally irritated America. The rational and wise course would have been to wink at irregularities which are the natural attendants of a prosperous trade.

Pp. 31-35. In 1764, Parliament went a step further in alarming America. It declared its right and intention of raising such revenue as it might think proper in America. This of course not only threatened America with impoverishment, but was equal to the annihilation of her constitutional freedom. The duties first imposed were port-duties, and as such legitimate. But they were imposed for purposes of revenue. The slight opposition offered to them shows how anxious America was to remain on friendly terms with England. It has been said, but falsely, that Grenville proposed to the agents of the Colonies in England that their Assemblies should tax themselves, instead of the English Parliament taxing them. This cannot be true. The agents had no power to accept such an offer. They knew, too, that the Colonies were so overburdened with the expenses of the late war, that they could not afford to make any grant. Thirdly, Grenville himself said that, in his opinion, the Colonies could not grant supplies to the Crown; and, lastly, he himself declared that he was determined to tax America by a vote of the English Parliament. Again, it is false to say that the English did not know that America would be irritated by such taxes. Remonstrances were addressed to England by America, but they were either withheld from Parliament, or contemptuously rejected by it.

Pp. 35-40. In 1765 Rockingham became Prime Minister, and Burke was

made his private secretary. This position necessarily made him acquainted with the course of public affairs. Rockingham began by taking measures to redress the grievances of those who were engaged in the Spanish trade. In October of the same year, the Ministers had to deal with the American resistance to the Stamp Act. The interval between October and the opening of Parliament was spent in deliberation. The result was that, in spite of great opposition, the Ministry passed the Declaratory Act, and repealed the Stamp Act. The Court Party try to discredit Lord Rockingham by saying that before the repeal there was no disturbance in America. The falsehood of this is proved by the statements of the Ministers themselves, of their officers in America, and of the American governors. The Court Party also say that if Englishmen had not opposed the Stamp Act in Parliament, America would never have thought of objecting to it. The answer to this is that practically the measure was not opposed in Parliament. The Court Party also say that the Americans would never have dared to resist unless the strong ministry of Grenville had given place to the weak one of Rockingham. The answer to this is that at the time of the disturbances in America, the Americans had not heard of the change of Ministry. It cannot be denied that the repeal of the Act restored loyalty and content in America.

Lord Chatham next became Prime Minister. He unfortunately confounded *party* with *faction*. Naturally, therefore, he selected men for his Cabinet without reference to their party connections. The consequence was that there was no unity in the Cabinet. When Chatham was absent through illness, measures, the most distasteful to him, were concerted. Then Townshend again declared in the House the expediency of taxing America. Townshend, besides his other brilliant gifts, was a master of that peculiar style of oratory which pleases the House of Commons. Parliamentary fame was the object of his ambition. In his eagerness not to offend the House by obstinacy, he fell into the opposite vice of facility. When the repeal of the Stamp Act was popular, he supported it. When it became unpopular, he proposed new taxes for America. He attempted the impossible task of taxing in such a way as to please the

Americans who did not want to be taxed—the English who wanted to tax them—and the merchants upon whose goods the taxes were to fall. From that time onward England has known no peace. She has oscillated between concession and coercion, without making either thorough. The position at present is as follows:—We have an Act declaring the expediency of raising revenue, yet we have surrendered five-sixths of the revenue. We retain one tax though we have promised the Americans to remove all taxes. Burke argues that the proper thing to do is to fulfil the national promise by abandoning the Act and removing the tax. Such a measure will probably conciliate the Americans, even though, at the same time, we punish them for past outrages. If it does not, a demand for further concession on their part may properly be resisted, for it can have no justification. At present England is in the absurd position of fighting for a nominal revenue. It is quite certain that if English sovereignty is used as an argument to justify English despotism in America, America will throw off English sovereignty altogether. It is absurd to argue that we may tax unrepresented America because we tax unrepresented Englishmen. We should consider America as entitled to the rights of the most privileged of Englishmen. In any case, it is absurd to fight for a tax which brings in nothing. But, it is said, that to renounce the right to tax is to surrender the Act Declaratory of the completeness of English sovereignty. Burke replies that English sovereignty in America does not mean the direct government of America by England, but a final power of control over the American legislatures in cases where they fail in their duties, or stand in need of assistance. American liberty is not prejudiced by the exercise in emergencies of such a power. America will give to us from loyalty more than we can take from her by force. The present system brings neither peace, profit, nor honour.

INTERVAL BETWEEN THE TWO SPEECHES.

April, 1774, to March, 1775.

It was not only the Boston Port Bill and the attack on the Charter of Massachusetts that irritated the Colonies. By the misrepresentations of Governor Hutchinson and his successor, General Gage, public men in England were led to talk openly of the Americans as cowards. At the instigation of the popular party in Virginia, the first of June, on which day the Boston Port Act was to come into force, was observed as a day of national fasting and prayer. Subscription lists were opened for the relief of the people of Boston. A 'solemn league and covenant' was entered into for the exclusion of English manufactures. In Massachusetts the people refused to give effect to the new constitution. General Gage thought it prudent to fortify himself on a neck of land connecting Boston with the open country. Twelve Colonies agreed to send delegates to a *General Congress* in Philadelphia early in September. Each Colony, no matter how many delegates it sent, was to have one vote. They met to the number of fifty-five, mostly lawyers, in September, a deputy from Virginia being chosen President. They drew up a *Declaration of Rights* claiming that the privileges of Englishmen, which they had never renounced, were still theirs. On that ground they demanded the repeal of recent Acts such as that which changed the government of Massachusetts. Until their request was granted they determined to import nothing from Great Britain after Dec. 1st, 1774, and to export nothing thither after

September 10th, 1775. At the same time addresses were forwarded to the people and the Sovereign of Great Britain, and also to the inhabitants of Canada, who were supposed to be discontented with a form of Government recently created for them by Great Britain. The Congress closed its sittings in October with a resolution to reassemble in May, 1775. Meanwhile there had occurred in Massachusetts the striking phenomenon noted by Burke.¹ "The time arrived for appointing the Council according to the new law; but of the members nominated by the Governor, though amounting only to thirty-six, there were found only twenty-four friends of British connection who were willing to incur the odium of taking the necessary oaths. The Council, therefore, could not be constituted. In these circumstances, the Governor recalled the writs for the new Assembly which was to meet in October; but the members already elected voted the proclamation illegal, and in default of the Governor's appearance to inaugurate the Assembly with the usual formalities, they declared themselves a provincial Congress, and proceeded forthwith to exercise, not only the functions of a legislative body, but to assume the powers of the Executive Government. They formed a Committee of Safety, which organized a militia force, appointed the officers, received reports, and directed the sheriffs and collectors of taxes to retain the proceeds of the public taxes, subject to their orders. General Gage issued a proclamation, denouncing this Assembly and their acts as seditious and treasonable. The proclamation was treated with contempt, and the orders of the

¹P. 86.

Committee were implicitly obeyed.”¹ The military preparations of Gage excited the indignation of the people, and it seemed as if a conflict might occur at any moment.

After the dissolution of the English Parliament in September, the Ministry returned to power with a large majority. The people shared the feeling of the King that a policy of concession had been tried and had failed, and that nothing remained but to coerce America. Parliament met in November, but business did not really begin until after the Christmas holidays. On January 20, Chatham urged, in the House of Lords, that resistance to what was now a united America was impossible. He therefore advised Parliament to conciliate America while there was yet time, by yielding the demands of the Philadelphia Congress. This proposal was rejected. He then presented to the Lords a “Provisional Bill for settling the troubles in America,” which he had drawn up in consultation with Franklin, after the rejection of his first proposal. He proposed to reaffirm the sovereignty of England in matters of Imperial concern, and, if America recognized this sovereignty, to renounce the right of taxing for revenue. He proposed, further, that a new congress of delegates should meet at Philadelphia, and provide for the due recognition of England’s sovereignty, and for a spontaneous grant in perpetuity towards the reduction of the English debt. The extraordinary jurisdiction of Admiralty Courts was to be abolished, charges of murder were to be heard in the province where the offence was committed, and the Coercion Acts, passed since 1764,

¹ Massey, *History of England under George III.*, vol. ii., ch. 18.

were to be repealed. The Bill was immediately rejected, but it was printed and circulated for the opinion of the public. In February, Lord North proposed that if a colonial legislature proposed a provision, which the King and Parliament should approve, for the expenses of its own government and of the common defence, Parliament should abstain from taxing the province so long as that provision lasted. This measure was passed. But whatever good effect it might have had was prevented by the association with it of fresh measures for fettering the trade of the Colonies, in revenge for the non-exportation and importation agreement. Votes were at the same time taken for an increase of the English military and naval forces. Burke moved his resolution on March 22nd. The substance of his speech is as follows:—

Pp 64-70. The Commons had sent up to the Lords a bill for restraining the trade of certain Colonies with Great Britain, Ireland, and the British Islands in the West Indies, and for restricting their right to carry on fisheries in Newfoundland. This bill was returned to the Commons, who thus fortunately obtained an opportunity of reconsidering their American policy. Burke entered Parliament at a time when a policy of conciliation towards America was in favour. He formed a theory of his own on the subject, from which he has never wavered amid all the unfortunate changes of Parliamentary opinion and policy. It is now said that instead of finding fault with whatever the Government does, he ought to propose a definite scheme of his own. As a general rule, he thinks it unwise for private individuals to draw up schemes of government. Public misfortunes, however, justify individuals in doing what in ordinary times it would be unbecoming for them to undertake. There is nothing in Burke's position to command acceptance for his proposals, so they will at least be judged on their own merits. He proposes to restore peace and confidence by meeting America in a spirit of conciliation. He does not think that Lord North's scheme

will work ; but at any rate that scheme is a confession that England ought to grant something to America, and that her mode of dealing with that country hitherto has been objectionable. Concessions are always made, most properly, by the stronger party. Before deciding what is best to be done, it will be necessary to review the circumstances of America. For the proper form of government for that country, as for all countries, must be determined by its circumstances.

Humanity and interest alike require us to treat with consideration a country possessing such a large and growing population. Pp. 70-79
In little more than half a century the value of England's exports to the Colonies increased twelvefold. In fact, at the time of Burke's speech, England exported to the Colonies alone nearly as much as at the beginning of the century she had exported to the whole world. In 1772, the exports to a single Colony had risen to the value of what was exported in 1704 to all the Colonies. There have been times when England would have been starved if it had not been for the corn which she derived from America. When we consider the spirit with which the Americans have carried on their fisheries, we must rather admire the spirit of a free people than complain of their occasional excesses. Burke deprecates the use of force, because the effect of a victory over America would at most be temporary—because England might not gain the victory—because a struggle would in any case impoverish America, and weaken England—and because experience is in favour of a policy of conciliation.

We must also consider the temper of the Americans. From Pp. 79-85.
their first settlement they have been jealous of freedom, and, as descendants of Englishmen, they naturally understand by freedom the right to tax themselves. The spirit of a free people was strengthened in them by the popular form of their government. Their natural feeling of independence is further strengthened by their religion. All Protestants are averse from arbitrary authority, and the North American colonists are Protestants of the most extreme type. It is true that in the Southern Colonies there is an Established English Church ; but there the colonists are slave-owners, and as such are necessarily haughty and independent. The study of law again is very

general in America, and it is apt to make people formidable to government. Lastly, it has to be remembered that the control of the English Government can never be so effectual at a distance of 3000 miles as it is at home.

Pp. 85-92. It is evident that the discontent of such a people is not to be treated lightly. It is somewhat alarming to think that America should discover, as she is now discovering, that she can disregard our punitive measures, and can provide for the management of her own affairs, and for the preservation of order in her own borders. It is equally important to remember that an English attack upon the freedom of America must weaken the hold of the English upon their own liberties.

It is impossible to change the spirit of the Americans by removing its causes. We cannot limit their numbers. We may exclude the growing population from the districts subject to our authority, but that will only turn them into wandering savages who would be a danger to our dominions. We can of course impoverish them by fettering their trade. But in impoverishing them we should impoverish ourselves too, and the poverty to which we reduce them will but goad them to rebellion. Men of English origin will never consent to be slaves. We cannot change their religion or their education. We cannot substitute a military despotism for their popular assemblies, nor would it be profitable or safe to do so if we could. If it is proposed to bring down the pride of the Virginians by enfranchising their slaves, the answer is that the slaves might not wish for freedom, and that the Virginians may anticipate us by freeing themselves, and arming them against us. Finally, America cannot be brought nearer to us so as to be brought more directly under our control.

Pp. 92-96. But it may be said that, if we cannot change the Americans, we can punish them. Burke says criminal procedure is not applicable on such a large scale. You cannot charge or bring to trial millions of people. It is moreover an insult to a nation to treat it as a criminal. A member of an Empire does not impugn the imperial authority by claiming a privilege. Rather, in the act of claiming it, he recognizes the power of the imperial authority. If the subordinate communities of our Empire are to

have no privileges, they are slaves, and will soon refuse to belong to such an Empire. In all quarrels between herself and her dependents, England is the judge, and is likely to be too partial to herself. She must remember that there are times when equity requires her not even to exercise her undoubted rights. In this case the right is not undoubted. England first decides that she has the right to tax, and then punishes America for denying the right. That we cannot take criminal proceedings against America is proved by the fact that after charging Massachusetts with the crime of rebellion, instead of proceeding against the rebels at law, we have dealt with the Colony as if it were a hostile power.

If we can neither change the Americans nor punish them, we Pp. 95-101. must conciliate them by ceasing to tax them in a Parliament where they are not represented. Whether we have the right to tax them or not does not matter in the least. It is often inequitable, unwise, or imprudent to assert even an undoubted right. Even if the ancestors of the colonists had contracted for themselves and their descendants to be slaves, it would still be advisable to grant freedom to those descendants when they demanded it, rather than to disturb the peace of the Empire. To satisfy the Colonies and to protect ourselves against a temptation to unconstitutional action in the future, we should declare once for all that they are to have the benefit of English constitutional principles. The opposition to Burke's scheme is prompted by an unreasonable fear that, if the taxes are repealed, the Americans will immediately cry out against the control of their trade by England. Burke says that it is very unfair to punish the Americans merely because you think that they are going to do something. They quarrelled not with commercial restrictions but with taxes. You cannot say what they will do when the taxes are removed until you have removed them. Experience would lead us to suppose that by removing grievances we make not enemies but friends.

The policy which Burke recommends is in accordance with Pp. 101-106. constitutional precedents, and, if England wishes to maintain her Empire, she cannot do better than act on the principles by which she acquired it. England has succeeded in making

Ireland loyal exactly in proportion as she has shared her own privileges with her. Ireland has contributed generously because she has been allowed to contribute freely. The same was the case with Wales. It was a burden to England so long as we treated it as we are now treating America. It became a peaceable country as soon as we recognized the rights of its inhabitants. The same policy was at the same time adopted and with the same results towards the County Palatine of Chester, and later with regard to Durham. In all cases England has recognized the right of the subordinate provinces of the Empire to tax themselves. Burke wishes to recognize the same right in the Americans. They cannot be represented in the English Parliaments, but experience has shown that they both can and will tax themselves for the benefit of the Empire, and that, except by free grants, they cannot be made to contribute to the support of the Empire at all.

Pp. 106-110. Burke wishes Parliament to record that the Americans though unrepresented in the English Parliament have been grieved by taxes imposed upon them by that Parliament, and have in consequence disturbed the peace of the Empire—that no means have been devised for securing representation to the Americans in England, but that the American Assemblies are competent to make grants and have often shown themselves willing to make them, and that attempts to get money from them in any other way have failed. The truth of these propositions is proved by facts, and by the records of Parliament itself. These things being so, Burke proposes to repeal the Acts by which duties are levied in America instead of in England—to repeal the Act depriving Boston of the privileges of a harbour—to annul the punitive measures passed against Massachusetts—and to restrict the operation of the statute of Henry VIII. Burke further proposes to make properly appointed judges in America irremovable except by the Sovereign in Council upon a formal request from America. Lastly, he proposes to amend the constitution and procedure of the Admiralty Courts charged with the enforcement of the Law of Navigation.

Pp. 110-and. If it be objected that England can no more legislate for unrepresented Colonies than she can tax them, Burke replies

(1) It is not he but Parliament that has asserted taxation without representation to be a grievance. (2) This principle has been recognized as compatible with an absolute or a limited sovereignty on the part of England. (3) In the case of Durham the grievance related solely to taxation without representation. (4) In the case of Durham and Chester Parliament did not trouble to define its sovereignty, but recognized that it could not tax those who were not represented. We are not to judge of what the Americans will do by expressions they may have used in the heat of passion, and, even if the abandonment of the right to tax involves the abandonment of the right to legislate, yet it does not follow that America will rebel against our laws. Men act much more out of regard to their own interests than to mere logical consistency. The Americans will make some sacrifices in order to belong to the Empire, because they gain in importance by belonging to it. Englishmen must not think their Empire dissolved because a relative independence is granted to different parts of it.

Burke deprecates Lord North's plan because such a plan has never been tried—because it will put power into the hands of the Ministers—because it is impracticable—and because an attempt to enforce it would lead to dissension and war. Burke proposes to do what experience shows it to be safe to do, viz., to trust to the voluntary liberality of America. People to whom membership of the Empire is valuable will make sacrifices to retain that membership. If England does her duty, her dependents will not fail to do theirs. Moral forces are more powerful than political regulations.

INTERVAL BETWEEN THE LAST SPEECH AND THE
DESPATCH OF THE LETTER TO THE SHERIFFS
OF BRISTOL IN APRIL, 1777.

The first shot in the Civil War was fired at Lexington. General Gage had sent a body of British troops to destroy a depot of arms and ammunition at Concord, about eighteen miles from Boston. The troops were

fired at by a body of American militia at Lexington, between Boston and Concord. The British force reached its destination, and after seizing and destroying some of the military stores retired in the direction of Boston. But it was harassed along the whole route by the American militia. It reached Boston with a loss of three hundred killed and wounded, and the loss would probably have been greater if it had not met with reinforcements at Lexington.

In a few days an American army invested Boston. On May 10th the General Congress met at Philadelphia. They assumed all the functions of independent sovereignty, voted a Continental army, issued a paper currency, and forbade the importation of provisions into any Colony which should refuse to abjure the sovereignty of Great Britain, and to acknowledge that of the Congress. Meanwhile reinforcements arrived from England. General Gage proclaimed martial law, offering, at the same time, an amnesty, with a few exceptions, to all who would lay down their arms. But this proclamation produced little effect. On the night of June 15th, the Americans occupied and entrenched themselves on Bunker's Hill, a height which commanded the town of Boston. They were dislodged by the British, who, however, lost in killed and wounded more than a thousand men, nearly half of their total force. The Americans retired in good order, and the investment of Boston was not interrupted. George Washington was appointed Commander-in-Chief of the American forces.

Meanwhile a body of insurgent troops had seized the fort of Ticonderoga, which commanded the maritime

communication between New York and Canada, as well as the sister fort of Crown Point. St. John's, the frontier fort of Canada, capitulated to a colonial army of three thousand men. But an attack upon Quebec was repulsed. The force which remained before the town was subsequently expelled by the British, and the American attempt upon the Province of Canada completely failed. This was a great disappointment to the Americans, and especially to Washington who, at the beginning of 1776, found himself left before Boston with a small and ill-equipped force of ten thousand men. At the same time, the feeling of hostility to England was general. Not only had the Northern Colonies declared for the Congress, but Virginia and the Carolinas had expelled the English Governors. In the words of Burke, "The cantonments of the English and the English dominions were exactly of the same extent."

In the summer of 1775 the Congress, through the influence of the moderate party, had made a final attempt at conciliation by despatching to England a petition, known as "the Olive Branch." But the Secretary of State refused to receive it. The Government was now determined on the coercion of America. A Royal Proclamation for the suppression of rebellion and sedition was issued in August. Foreign mercenaries were engaged: and before Christmas Lord North introduced his Bill for prohibiting all trade and intercourse with the Colonies. This was equivalent to a declaration of war.

In March, 1776, Washington occupied Dorchester heights, from which he could threaten both the harbour and the town of Boston; and General Howe, who had

taken the place of Gage as commander of the British troops, sailed for Halifax, intending, as soon as reinforcements arrived, to take possession of New York. Not a single British soldier was now left in New England. The people were much irritated by the rejection of "the Olive Branch." In some Colonies provisional governments were established, and, finally, on July 4th, was issued the famous Declaration of Independence. A few days before this, General Howe, who had moved from Halifax to Staten Island, was joined by his brother, Admiral Lord Howe. Washington, meanwhile, had fixed his headquarters at New York. The brothers Howe, in the exercise of powers conferred on them by a conciliatory clause in Lord North's Prohibitory Act, issued a proclamation in which pardon and protection were offered to any Colony which should return to its allegiance. The proclamation, being unaccompanied by any definite promise of redress of grievances, produced no effect. On August 27th a force despatched by General Howe from Staten Island inflicted a severe defeat upon a strong American detachment which had intrenched the town of Brooklyn upon Long Island, which is nearly opposite to New York, being separated from it by a channel of about three-quarters of a mile broad. Howe made the mistake of not allowing his men to attempt to carry the intrenchments, and Washington, who arrived during the battle, took advantage of a fog, which came on at night, to withdraw the American force to New York. Howe again made proposals for peace, but a conference held by him on Staten Island with a deputation from Congress was without result.

Washington was unable to hold New York in the face of the English army and fleet. He abandoned the city in the middle of September, and the English took possession of it. Washington encamped on Haarlem heights, the neck of land to the north of New York Island, and he constructed Fort Washington upon a rock overlooking the river Hudson. This fort was captured by Howe, and the garrison of three thousand men, with a large quantity of military stores, fell into the hands of the English. Washington was obliged to retire northwards, first to White Plains, and, after an unsuccessful engagement there, to North Castle. He then crossed the Hudson, and took up his position at Fort Lee. From here he was obliged once more to retire before a British force which also crossed the Hudson, under Lord Cornwallis, through the Jerseys, and across the river Delaware into Pennsylvania. In December, a British force under General Clinton captured Rhode Island. "Hitherto the Royal army had succeeded in every object since their landing at Staten Island. The Provisional army, besides the loss by sword, by captivity, and by desertion, began to dwindle to very small numbers, from the nature of their military engagement. They were only enlisted for a year: and the colonists, who were but little used to any restraint, very ill brooked even so long an absence from their families. At the expiration of the term, but few were prevailed upon to continue in service. Everything seemed to promise a decisive event in favour of the Royal arms, and a submission of some of the principal Colonies was hourly expected."¹

But the face of affairs soon changed. On the night of

¹ *Annual Register*, 1776, ch. 5.

December 25th, 1776, Washington crossed the frozen river Delaware, and surprised the fort of Trenton, which was occupied by a garrison of English and Hessians. He captured a large number of prisoners, and a great quantity of military stores. In the middle of January, 1777, he again crossed the river and worsted Cornwallis in an engagement at Princeton, and gradually recovered nearly the whole of the Jerseys. The Congress had by this time taken measures for the establishment of a more permanent and a better equipped army, and for increasing the powers of Washington in the field.

All the attempts which had been made during this period by the opposition in Parliament to obtain a reversal of the Ministerial policy had failed. North's Prohibitory Bill was passed in December, 1776. A bill granting letters of marque, that is, authorizing the owners or captains of English merchant ships to take and make prize of all vessels, with their effects, belonging to the Colonies, was passed in February, 1777, and at the same time, a bill for the partial suspension of the Habeas Corpus Act was introduced and passed, with a view to enabling the Crown to secure and detain persons charged with, or suspected of, high treason committed in America, or on the high seas, or of the crime of piracy.

BURKE'S SPEECHES.

SPEECH ON AMERICAN TAXATION.

1774.

PREFACE.

THE following speech has been much the subject of conversation ; and the desire of having it printed was last summer very general. The means of gratifying the public curiosity were obligingly furnished from the notes of some gentlemen, members of the last parliament.

This piece has been for some months ready for the press. But a delicacy, possibly over-scrupulous, has delayed the publication to this time. The friends of administration have been used to attribute a great deal of the opposition to their measures in America to the writings published in 10 England. The editor of this speech kept it back, until all the measures of government have had their full operation, and can be no longer affected, if ever they could have been affected, by any publication.

Most readers will recollect the uncommon pains taken at the beginning of the last session of the last parliament, and indeed during the whole course of it, to asperse the characters, and decry the measures, of those who were supposed to be friends to America ; in order to weaken the effect of

their opposition to the acts of rigour then preparing against the colonies. The speech contains a full refutation of the charges against that party with which Mr. Burke has all along acted. In doing this, he has taken a review of the effects of all the schemes which have been successively adopted in the government of the plantations. The subject is interesting; the matters of information various, and important; and the publication at this time, the editor hopes, will not be thought unseasonable.

SPEECH, &c.

- 10 DURING the last session of the last parliament, on the 19th of April, 1774, Mr. Rose Fuller, member for Rye, made the following motion; That an act made in the seventh year of the reign of his present Majesty, intituled, "An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation from this kingdom of coffee and cocoa nuts, of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on china earthen ware exported to America; and for more
20 effectually preventing the clandestine running of goods in the said colonies and plantations;" might be read.

And the same being read accordingly; he moved, "That this House will, upon this day sevensnight, resolve itself into a committee of the whole House, to take into consideration the duty of 3*d*. per pound weight upon tea, payable in all his Majesty's dominions in America, imposed by the said act; and also the appropriation of the said duty."

On this latter motion a warm and interesting debate arose, in which Mr. Burke spoke as follows:

- 30 Sir,—I agree with the honourable gentleman who spoke last, that this subject is not new in this House. Very disagreeably to this House, very unfortunately to this nation, and to the peace and prosperity of this whole empire, no

topic has been more familiar to us. For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape; we have looked at them in every point of view. Invention is exhausted; reason is fatigued; experience has given judgment; but obstinacy is not yet conquered.

The honourable gentleman has made one endeavour more to diversify the form of this disgusting argument. He has 10 thrown out a speech composed almost entirely of challenges. Challenges are serious things; and as he is a man of prudence as well as resolution, I dare say he has very well weighed those challenges before he delivered them. I had long the happiness to sit at the same side of the House, and to agree with the honourable gentleman on all the American questions. My sentiments, I am sure, are well known to him; and I thought I had been perfectly acquainted with his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship; he will permit 20 me to apply myself to the House under the sanction of his authority; and, on the various grounds he has measured out, to submit to you the poor opinions which I have formed upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

He has stated to the House two grounds of deliberation; one narrow and simple, and merely confined to the question on your paper: the other more large and more complicated; comprehending the whole series of the parliamentary proceedings with regard to America, their causes, and their 30 consequences. With regard to the latter ground, he states it as useless, and thinks it may be even dangerous, to enter into so extensive a field of inquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it; and

declares it absolutely necessary to enter into the most ample historical detail. His zeal has thrown him a little out of his usual accuracy. In this perplexity what shall we do, Sir, who are willing to submit to the law he gives us? He has reprobated in one part of his speech the rule he had laid down for debate in the other; and, after narrowing the ground for all those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities.

- 10 Sir, when I cannot obey all his laws, I will do the best I can. I will endeavour to obey such of them as have the sanction of his example; and to stick to that rule, which, though not consistent with the other, is the most rational. He was certainly in the right when he took the matter largely. I cannot prevail on myself to agree with him in his censure of his own conduct. It is not, he will give me leave to say, either useless or dangerous. He asserts, that retrospect is not wise; and the proper, the only proper, subject of inquiry, is "not how we got into this difficulty, but
20 how we are to get out of it." In other words, we are, according to him, to consult our invention, and to reject our experience. The mode of deliberation he recommends is diametrically opposite to every rule of reason and every principle of good sense established amongst mankind. For that sense and that reason I have always understood absolutely to prescribe, whenever we are involved in difficulties from the measures we have pursued, that we should take a strict review of those measures, in order to correct our errors, if they should be corrigible; or at least to avoid a
30 dull uniformity in mischief, and the unpitied calamity of being repeatedly caught in the same snare.

Sir, I will freely follow the honourable gentleman in his historical discussion, without the least management for men or measures, further than as they shall seem to me to deserve it. But before I go into that large consideration, because I would omit nothing that can give the House satisfaction, I

wish to tread the narrow ground to which alone the honourable gentleman, in one part of his speech, has so strictly confined us.

He desires to know, whether, if we were to repeal this tax, agreeably to the proposition of the honourable gentleman who made the motion, the Americans would not take post on this concession, in order to make a new attack on the next body of taxes ; and whether they would not call for a repeal of the duty on wine as loudly as they do now for the repeal of the duty on tea ? Sir, I can give no security on this subject. But I will do all that I can, and all that can be fairly demanded. To the *experience* which the honourable gentleman reprobrates in one instant, and reverts to in the next ; to that experience, without the least wavering or hesitation on my part, I steadily appeal ; and would to God there was no other arbiter to decide on the vote with which the House is to conclude this day.

When parliament repealed the stamp act in the year 1766 I affirm, first, that the Americans did *not* in consequence of this measure call upon you to give up the former parliamentary revenue which subsisted in that country ; or even any one of the articles which compose it. I affirm also, that when, departing from the maxims of that repeal, you revived the scheme of taxation, and thereby filled the minds of the colonists with new jealousy, and all sorts of apprehensions, then it was that they quarrelled with the old taxes, as well as the new ; then it was, and not till then, that they questioned all the parts of your legislative power ; and by the battery of such questions have shaken the solid structure of this empire to its deepest foundations.

Of those two propositions I shall, before I have done, give such convincing, such damning proof, that however the contrary may be whispered in circles, or bawled in newspapers, they never more will dare to raise their voices in this House. I speak with great confidence. I have reason for it. The

ministers are with me. *They* at least are convinced that the repeal of the stamp act had not, and that no repeal can have, the consequences which the honourable gentleman who defends their measures is so much alarmed at. To their conduct I refer him for a conclusive answer to this objection. I carry my proof irresistibly into the very body of both ministry and parliament; not on any general reasoning growing out of collateral matter, but on the conduct of the honourable gentleman's ministerial friends on the new
10 revenue itself.

The act of 1767, which grants this tea duty, sets forth in its preamble, that it was expedient to raise a revenue in America, for the support of the civil government there, as well as for purposes still more extensive. To this support the act assigns six branches of duties. About two years after this act passed, the ministry, I mean the present ministry, thought it expedient to repeal five of the duties, and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that
20 repeal, had thus addressed the minister: "Condemning, as you do, the repeal of the stamp act, why do you venture to repeal the duties upon glass, paper, and painters' colours? Let your pretence for the repeal be what it will, are you not thoroughly convinced, that your concessions will produce, not satisfaction, but insolence, in the Americans; and that the giving up these taxes will necessitate the giving up of all the rest?" This objection was as palpable then as it is now; and it was as good for preserving the five duties as for retaining the sixth. Besides, the minister will recollect, that
30 the repeal of the stamp act had but just preceded his repeal; and the ill policy of that measure, (had it been so impolitic as it has been represented,) and the mischiefs it produced, were quite recent. Upon the principles therefore of the honourable gentleman, upon the principles of the minister himself, the minister has nothing at all to answer. He stands condemned by himself, and by all his associates old

and new, as a destroyer, in the first trust of finance, of the revenues ; and in the first rank of honour, as a betrayer of the dignity of his country.

Most men, especially great men, do not always know their well-wishers. I come to rescue that noble lord out of the hands of those he calls his friends ; and even out of his own. I will do him the justice he is denied at home. He has not been this wicked or imprudent man. He knew that a repeal had no tendency to produce the mischiefs which give so much alarm to his honourable friend. His work was not 10 bad in its principle, but imperfect in its execution ; and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, he had left unfinished.

I hope, Sir, the honourable gentleman, who spoke last, is thoroughly satisfied, and satisfied out of the proceedings of ministry on their own favourite act, that his fears from a repeal are groundless. If he is not, I leave him, and the noble lord who sits by him, to settle the matter, as well as they can, together ; for if the repeal of American taxes 20 destroys all our government in America—He is the man !—and he is the worst of all the repealers, because he is the last.

But I hear it rung continually in my ears, now and formerly,—“the preamble ! what will become of the preamble, if you repeal this tax ?”—I am sorry to be compelled so often to expose the calamities and disgraces of parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisionary part of the act ; if that can be called provisionary which makes no provision. 30 I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now drawn up before me, composed of the ancient household troops of that side of the House, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness ; but plain truth and

clear evidence can be beat down by no ability. The clerk will be so good as to turn to the act, and to read this favourable preamble :

Whereas it is expedient that a revenue should be raised in your Majesty's dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, and support of civil government, in such provinces where it shall be found necessary ; and towards further defraying the expenses of defending, protecting,
10 *and securing the said dominions.*

You have heard this pompous performance. Now where is the revenue which is to do all these mighty things ? Five-sixths repealed — abandoned — sunk — gone — lost for ever. Does the poor solitary tea duty support the purposes of this preamble ? Is not the supply there stated as effectually abandoned as if the tea duty had perished in the general wreck ? Here, Mr. Speaker, is a precious mockery—a preamble without an act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up ! This
20 is raising a revenue in America ! This is preserving dignity in England ! If you repeal this tax in compliance with the motion, I readily admit that you lose this fair preamble. Estimate your loss in it. The object of the act is gone already ; and all you suffer is the purging the statute-book of the opprobrium of an empty, absurd, and false recital.

It has been said again and again, that the five taxes were repealed on commercial principles. It is so said in the paper in my hand ; a paper which I constantly carry about ;
30 which I have often used, and shall often use again. What is got by this paltry pretence of commercial principles I know not : for if your government in America is destroyed by the *repeal of taxes*, it is of no consequence upon what ideas the repeal is granted. Repeal this tax too upon commercial principles if you please. These principles will serve as well now as they did formerly. But you know that,

either your objection to a repeal from these supposed consequences has no validity, or that this pretence never could remove it. This commercial motive never was believed by any man, either in America, which this letter is meant to soothe, or in England, which it is meant to deceive. It was impossible it should. Because every man, in the least acquainted with the detail of commerce, must know, that several of the articles on which the tax was repealed, were fitter objects of duties than almost any other articles that could possibly be chosen ; without comparison more so than the tea that was left taxed ; as infinitely less liable to be eluded by contraband. The tax upon red and white lead was of this nature. You have, in this kingdom, an advantage in lead, that amounts to a monopoly. When you find yourself in this situation of advantage, you sometimes venture to tax even your own export. You did so soon after the last war ; when, upon this principle, you ventured to impose a duty on coals. In all the articles of American contraband trade, who ever heard of the smuggling of red lead and white lead ? You might, therefore, well enough, without danger of contraband, and without injury to commerce, (if this were the whole consideration,) have taxed these commodities. The same may be said of glass. Besides, some of the things taxed were so trivial, that the loss of the objects themselves, and their utter annihilation out of American commerce, would have been comparatively as nothing. But is the article of tea such an object in the trade of England, as not to be felt, or felt but slightly, like white lead and red lead, and painters' colours ? Tea is an object of far other importance. Tea is perhaps the 30 most important object, taking it with its necessary connexions, of any in the mighty circle of our commerce. If commercial principles had been the true motives to the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

Sir, it is not a pleasant consideration ; but nothing in the world can read so awful and so instructive a lesson, as the conduct of ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the servants of the state looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretence, and some at another, just as they pressed, without any sort of regard to their relations or dependencies. They never had any kind of system, right or wrong ; but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties, into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piece-meal a repeal of an act, which they had not the generous courage, when they found and felt their error, honourably and fairly to disclaim. By such management, by the irresistible operation of feeble counsels, so paltry a sum as three-pence in the eyes of a financier, so insignificant
20 an article as tea in the eyes of a philosopher, have shaken the pillars of a commercial empire that circled the whole globe.

Do you forget that, in the very last year, you stood on the precipice of general bankruptcy ? Your danger was indeed great. You were distressed in the affairs of the East India Company ; and you well know what sort of things are involved in the comprehensive energy of that significant appellation. I am not called upon to enlarge to you on that danger, which you thought proper yourselves to aggravate,
30 and to display to the world with all the parade of indiscreet declamation. The monopoly of the most lucrative trades, and the possession of imperial revenues, had brought you to the verge of beggary and ruin. Such was your representation—such, in some measure, was your case. The vent of ten millions of pounds of this commodity, now locked up by the operation of an injudicious tax, and rotting in the

warehouses of the company, would have prevented all this distress, and all that series of desperate measures which you thought yourselves obliged to take in consequence of it. America would have furnished that vent, which no other part of the world can furnish but America; where tea is next to a necessary of life; and where the demand grows upon the supply. I hope our dear-bought East India committees have done us at least so much good, as to let us know, that, without a more extensive sale of that article, our East India revenues and acquisitions can have no certain 10 connexion with this country. It is through the American trade of tea that your East India conquests are to be prevented from crushing you with their burthen. They are ponderous indeed: and they must have that great country to lean upon, or they tumble upon your head. It is the same folly that has lost you at once the benefit of the west and of the east. This folly has thrown open folding-doors to contraband; and will be the means of giving the profits of the trade of your colonies to every nation but yourselves. Never did a people suffer so much for the empty words of 20 a preamble. It must be given up. For on what principle does it stand? This famous revenue stands, at this hour, on all the debate, as a description of revenue not as yet known in all the comprehensive (but too comprehensive) vocabulary of finance—a *preambulary tax*. It is indeed a tax of sophistry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for anything but benefit to the imposers, or satisfaction to the subject.

Well! but whatever it is, gentlemen will force the colonists to take the teas. You will force them? Has 30 seven years' struggle been yet able to force them? O but it seems "we are in the right. The tax is trifling—in effect it is rather an exoneration than an imposition; three-fourths of the duty formerly payable on teas exported to America is taken off; the place of collection is only shifted; instead of the retention of a shilling from the drawback

here, it is three-pence custom paid in America." All this, Sir, is very true. But this is the very folly and mischief of the act. Incredible as it may seem, you know that you have deliberately thrown away a large duty which you held secure and quiet in your hands, for the vain hope of getting one three-fourths less, through every hazard, through certain litigation, and possibly through war.

The manner of proceeding in the duties on paper and glass, imposed by the same act, was exactly in the same
10 spirit. There are heavy excises on those articles when used in England. On export, these excises are drawn back. But instead of withholding the drawback, which might have been done, with ease, without charge, without possibility of smuggling; and instead of applying the money (money already in your hands) according to your pleasure, you began your operations in finance by flinging away your revenue; you allowed the whole drawback on export, and then you charged the duty, (which you had before discharged,) payable in the colonies; where it was certain the
20 collection would devour it to the bone, if any revenue were ever suffered to be collected at all. One spirit pervades and animates the whole mass.

Could anything be a subject of more just alarm to America, than to see you go out of the plain high-road of finance, and give up your most certain revenues and your clearest interests, merely for the sake of insulting your colonies? No man ever doubted that the commodity of tea could bear an imposition of three-pence. But no commodity will bear three-pence, or will bear a penny, when the general
30 feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings, on the principle it was demanded,

would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

It is then, Sir, upon the *principle* of this measure, and nothing else, that we are at issue. It is a principle of political expediency. Your act of 1767 asserts, that it is expedient to raise a revenue in America; your act of 1769, which takes away that revenue, contradicts the act of 1767; and, by something much stronger than words, asserts, 10 that it is not expedient. It is a reflection upon your wisdom to persist in a solemn parliamentary declaration of the expediency of any object, for which, at the same time, you make no sort of provision. And pray, Sir, let not this circumstance escape you; it is very material; that the preamble of this act, which we wish to repeal, is not *declaratory of a right*, as some gentlemen seem to argue it; it is only a recital of the *expediency* of a certain exercise of a right supposed already to have been asserted; an exercise you are now contending for by ways and means which you confess, 20 though they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom; a quiddity; a thing that wants, not only a substance, but even a name; for a thing, which is neither abstract right, nor profitable enjoyment.

They tell you, Sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible encumbrance to you; for it has of late been ever at war with your interest, your equity, and every idea of your policy. 30 Show the thing you contend for to be reason; show it to be common sense; show it to be the means of attaining some useful end; and then I am content to allow it ~~what dignity~~ you please. But what dignity is derived from the ~~perseverance~~ in absurdity, is more than ever I could discern. The honourable gentleman has said well—indeed, in most of his

general observations I agree with him—he says, that this subject does not stand as it did formerly. Oh, certainly not! Every hour you continue on this ill-chosen ground, your difficulties thicken on you; and therefore my conclusion is, remove from a bad position as quickly as you can. The disgrace, and the necessity of yielding, both of them, grow upon you every hour of your delay.

But will you repeal the act, says the honourable gentleman, at this instant when America is in open resistance to your authority, and that you have just revived your system of taxation? He thinks he has driven us into a corner? But thus pent up, I am content to meet him; because I enter the lists supported by my old authority, his new friends, the ministers themselves. The honourable gentleman remembers, that about five years ago as great disturbances as the present prevailed in America on account of the new taxes. The ministers represented these disturbances as treasonable; and this House thought proper, on that representation, to make a famous address for a revival, and for a new application of a statute of Henry VIII. We besought the king, in that well-considered address, to inquire into treasons, and to bring the supposed traitors from America to Great Britain for trial. His Majesty was pleased graciously to promise a compliance with our request. All the attempts from this side of the House to resist these violences, and to bring about a repeal, were treated with the utmost scorn. An apprehension of the very consequences now stated by the honourable gentleman, was then given as a reason for shutting the door against all hope of such an alteration. And so strong was the spirit for supporting the new taxes, that the session concluded with the following remarkable declaration. After stating the vigorous measures which had been pursued, the speech from the throne proceeds:

You have assured me of your firm support in the prosecution of them. Nothing, in my opinion, could be more likely to enable the well-disposed among my subjects in that part of the

world, effectually to discourage and defeat the designs of the factious and seditious, than the hearty concurrence of every branch of the legislature, in maintaining the execution of the laws in every part of my dominions.

After this no man dreamt that a repeal under this ministry could possibly take place. The honourable gentleman knows as well as I, that the idea was utterly exploded by those who sway the House. This speech was made on the ninth day of May, 1769. Five days after this speech, that is, on the 13th of the same month, the public circular letter, a 10 part of which I am going to read to you, was written by Lord Hillsborough, secretary of state for the colonies. After reciting the substance of the king's speech, he goes on thus :

"I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with factious and seditious views, that his Majesty's present administration have at no time entertained a design to propose to parliament to lay any further taxes upon America for the purpose of RAISING A REVENUE ; and that it is at present their intention to propose, the next session of parliament, to take off the duties upon 20 glass, paper, and colours, upon consideration of such duties having been laid contrary to the true principles of commerce.

"These have always been, and still are, the sentiments of his Majesty's present servants ; and by which their conduct in respect to America has been governed. And his Majesty relies upon your prudence and fidelity for such an explanation of his measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her colonies ; and to re-establish that mutual confidence and affection upon which the glory and safety of the British empire 30 depend."

Here, Sir, is a canonical book of ministerial scripture ; the general epistle to the Americans. What does the gentleman say to it ? Here a repeal is promised ; promised without condition ; and while your authority was actually re-

sisted. I pass by the public promise of a peer relative to the repeal of taxes by this House. I pass by the use of the king's name in a matter of supply, that sacred and reserved right of the commons. I conceal the ridiculous figure of parliament, hurling its thunders at the gigantic rebellion of America; and then five days after prostrate at the feet of those assemblies we affected to despise; begging them, by the intervention of our ministerial sureties, to receive our submission, and heartily promising amendment. These might
10 have been serious matters formerly; but we are grown wiser than our fathers. Passing, therefore, from the constitutional consideration to the mere policy, does not this letter imply, that the idea of taxing America for the purpose of revenue is an abominable project; when the ministry suppose that none but *factionous* men, and with seditious views, could charge them with it? does not this letter adopt and sanctify the American distinction of *taxing for a revenue*? does it not formally reject all future taxation on that principle? does it not state the ministerial rejection of such principle of taxa-
20 tion, not as the occasional, but the constant, opinion of the king's servants? does it not say, (I care not how consistently,) but does it not say, that their conduct with regard to America has been *always* governed by this policy? It goes a great deal further. These excellent and trusty servants of the king, justly fearful lest they themselves should have lost all credit with the world, bring out the image of their gracious sovereign from the inmost and most sacred shrine, and they pawn him as a security for their promises.—“*His Majesty* relies on your prudence and fidelity for such an ex-
30 planation of *his* measures.” These sentiments of the minister, and these measures of his Majesty, can only relate to the principle and practice of taxing for a revenue; and accordingly Lord Botetourt, stating it as such, did, with great propriety, and in the exact spirit of his instructions, endeavour to remove the fears of the Virginian assembly, lest the sentiments, which it seems (unknown to the world)

had *always* been those of the ministers, and by which *their* conduct in *respect to America had been governed*, should by some possible revolution, favourable to wicked American taxers, be hereafter counteracted. He addresses them in this manner :

It may possibly be objected, that, as his Majesty's present administration are not immortal, their successors may be inclined to attempt to undo what the present ministers shall have attempted to perform; and to that objection I can give but this answer; that it is my firm opinion, that the plan I have 10 *stated to you will certainly take place; and that it will never be departed from; and so determined am I for ever to abide by it, that I will be content to be declared infamous, if I do not, to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am or ever shall be legally invested, in order to obtain and maintain for the continent of America that satisfaction which I have been authorized to promise this day, by the confidential servants of our gracious sovereign, who to my certain knowledge rates his honour so high, that he would rather part with his* 20 *crown, than preserve it by deceit.*

A glorious and true character ! which (since we suffer his ministers with impunity to answer for his ideas of taxation) we ought to make it our business to enable his Majesty to preserve in all its lustre. Let him have character, since ours is no more ! Let some part of government be kept in respect !

This epistle was not the letter of Lord Hillsborough solely ; though he held the official pen. It was the letter of the noble lord upon the floor, and of all the king's then ministers, who 30 (with I think the exception of two only) are his ministers at this hour. The very first news that a British parliament heard of what it was to do with the duties which it had given and granted to the king, was by the publication of the votes of American assemblies. It was in America that your resolutions were pre-declared. It was from thence that we

knew to a certainty, how much exactly, and not a scruple more or less, we were to repeal. We were unworthy to be let into the secret of our own conduct. The assemblies had *confidential* communications from his Majesty's *confidential* servants. We were nothing but instruments. Do you, after this, wonder that you have no weight and no respect in the colonies? After this, are you surprised, that parliament is every day and everywhere losing (I feel it with sorrow, I utter it with reluctance) that reverential affection, which so
10 endearing a name of authority ought ever to carry with it; that you are obeyed solely from respect to the bayonet; and that this House, the ground and pillar of freedom, is itself held up only by the treacherous under-pinning and clumsy buttresses of arbitrary power?

If this dignity, which is to stand in the place of just policy and common sense, had been consulted, there was a time for preserving it, and for reconciling it with any concession. If in the session of 1768, that session of idle terror and empty menaces, you had, as you were often pressed to
20 do, repealed these taxes; then your strong operations would have come justified and enforced, in case your concessions had been returned by outrages. But, preposterously, you began with violence; and before terrors could have any effect, either good or bad, your ministers immediately begged pardon, and promised that repeal to the obstinate Americans, which they had refused in an easy, good-natured, complying British parliament. The assemblies, which had been publicly and avowedly dissolved for *their* contumacy, are called together to receive *your* submission. Your ministerial
30 directors blustered like tragic tyrants here; and then went mumping with a sore leg in America, canting and whining, and complaining of faction, which represented them as friends to a revenue from the colonies. I hope nobody in this House will hereafter have the impudence to defend American taxes in the name of ministry. The moment they do, with this letter of attorney in my hand, I will tell them,

in the authorized terms, they are wretches, "with factious and seditious views ; enemies to the peace and prosperity of the mother country and the colonies," and subverters "of the mutual affection and confidence on which the glory and safety of the British empire depend."

After this letter, the question is no more on propriety or dignity. They are gone already. The faith of your sovereign is pledged for the political principle. The general declaration in the letter goes to the whole of it. You must therefore either abandon the scheme of taxing ; or you must 10 send the ministers tarred and feathered to America, who dared to hold out the royal faith for a renunciation of all taxes for revenue. Then you must punish, or this faith you must preserve. The preservation of this faith is of more consequence than the duties on *red lead*, or *white lead*, or on broken *glass*, or *atlas-ordinary*, or *demy-fine*, or *blue royal*, or *bastard*, or *fool's-cap*, which you have given up ; or the three-pence on tea which you retained. The letter went stamped with the public authority of this kingdom. The instructions for the colony government go under no other sanction ; and 20 America cannot believe, and will not obey you, if you do not preserve this channel of communication sacred. You are now punishing the colonies for acting on distinctions, held out by that very ministry which is here shining in riches, in favour, and in power ; and urging the punishment of the very offence to which they had themselves been the tempters.

Sir, if reasons respecting simply your own commerce, which is your own convenience, were the sole ground of the repeal of the five duties ; why does Lord Hillsborough, in disclaiming in the name of the king and ministry their ever 30 having had an intent to tax for revenue, mention it as the means "of re-establishing the confidence and affection of the colonies ?" Is it a way of soothing *others*, to assure them that you will take good care of *yourself* ? The medium, the only medium, for regaining their affection and confidence, is, that you will take off something oppressive to their minds.

Sir, the letter strongly enforces that idea : for though the repeal of the taxes is promised on commercial principles, yet the means of counteracting "the insinuations of men with factious and seditious views," is, by a disclaimer of the intention of taxing for revenue, as a constant, invariable sentiment and rule of conduct in the government of America.

I remember that the noble lord on the floor, not in a former debate to be sure, (it would be disorderly to refer to it, I suppose I read it somewhere,) but the noble lord was
10 pleased to say, that he did not conceive how it could enter into the head of man to impose such taxes as those of 1767 ; I mean those taxes which he voted for imposing, and voted for repealing ; as being taxes contrary to all the principles of commerce, laid on *British manufactures*.

I dare say the noble lord is perfectly well read, because the duty of his particular office requires he should be so, in all our revenue laws ; and in the policy which is to be collected out of them. Now, Sir, when he had read this act of American revenue, and a little recovered from his astonish-
20 ment, I suppose he made one step retrograde (it is but one) and looked at the act which stands just before in the statute-book. The American revenue act is the forty-fifth chapter ; the other to which I refer is the forty-fourth of the same session. These two acts are both to the same purpose ; both revenue acts ; both taxing out of the kingdom ; and both taxing British manufactures exported. As the 45th is an act for raising a revenue in America, the 44th is an act for raising a revenue in the Isle of Man. The two acts perfectly agree in all respects, except one. In the act for taxing the
30 Isle of Man, the noble lord will find (not, as in the American act, four or five articles) but almost the *whole body* of British manufactures, taxed from two and a half to fifteen *per cent.*, and some articles, such as that of spirits, a great deal higher. You did not think it uncommercial to tax the whole mass of your manufactures, and, let me add, your agriculture too ; for, I now recollect, British corn is there

also taxed up to ten *per cent.*, and this too in the very head quarters, the very citadel of smuggling, the Isle of Man. Now will the noble lord condescend to tell me why he repealed the taxes on your manufactures sent out to America, and not the taxes on the manufactures exported to the Isle of Man? The principle was exactly the same, the objects charged infinitely more extensive, the duties, without comparison, higher. Why? Why, notwithstanding all his childish pretexts, because the taxes were quietly submitted to in the Isle of Man; and because they raised a flame in 10 America. Your reasons were political, not commercial. The repeal was made, as Lord Hillsborough's letter well expresses it, to regain "the confidence and affection of the colonies, on which the glory and safety of the British empire depend." A wise and just motive surely, if ever there was such. But the mischief and dishonour is, that you have not done what you had given the colonies just cause to expect, when your ministers disclaimed the idea of taxes for a revenue. There is nothing simple, nothing manly, nothing ingenuous, open, decisive, or steady, in the proceeding, with regard either to 20 the continuance or the repeal of the taxes. The whole has an air of littleness and fraud. The article of tea is slurred over in the circular letter, as it were by accident—nothing is said of a resolution either to keep that tax, or to give it up. There is no fair dealing in any part of the transaction.

If you mean to follow your true motive and your public faith, give up your tax on tea for raising a revenue, the principle of which has, in effect, been disclaimed in your name; and which produces you no advantage; no, not a penny. Or, if you choose to go on with a poor pretence instead of a 30 solid reason, and will still adhere to your cant of commerce, you have ten thousand times more strong commercial reasons for giving up this duty on tea, than for abandoning the five others that you have already renounced.

The American consumption of teas is annually, I believe, worth £300,000 at the least farthing. If you urge the

American violence as a justification of your perseverance in enforcing this tax, you know that you can never answer this plain question—Why did you repeal the others given in the same act, whilst the very same violence subsisted?—But you did not find the violence cease upon that concession.—No! because the concession was far short of satisfying the principle which Lord Hillsborough had abjured; or even the pretence on which the repeal of the other taxes was announced; and because, by enabling the East India Company
10 to open a shop for defeating the American resolution not to pay that specific tax, you manifestly showed a hankering after the principle of the act which you formerly had renounced. Whatever road you take leads to a compliance with this motion. It opens to you at the end of every vista. Your commerce, your policy, your promises, your reasons, your pretences, your consistency, your inconsistency—all jointly oblige you to this repeal.

But still it sticks in our throats, if we go so far, the Americans will go farther. We do not know that. We
20 ought, from experience, rather to presume the contrary. Do we not know for certain that the Americans are going on as fast as possible, whilst we refuse to gratify them? Can they do more, or can they do worse, if we yield this point? I think this concession will rather fix a turnpike to prevent their further progress. It is impossible to answer for bodies of men. But I am sure the natural effect of fidelity, clemency, kindness in governors, is peace, good-will, order, and esteem on the part of the governed. I would certainly, at least, give these fair principles a fair trial;
30 which, since the making of this act to this hour, they never have had.

Sir, the honourable gentleman having spoken what he thought necessary upon the narrow part of the subject, I have given him, I hope, a satisfactory answer. He next presses me by a variety of direct challenges and oblique reflections to say something on the historical part. I shall,

therefore, Sir, open myself fully on that important and delicate subject; not for the sake of telling you a long story, (which I know, Mr. Speaker, you are not particularly fond of,) but for the sake of the weighty instruction that, I flatter myself, will necessarily result from it. I shall not be longer, if I can help it, than so serious a matter requires.

Permit me then, Sir, to lead your attention very far back; back to the act of navigation; the corner-stone of the policy of this country with regard to its colonies. Sir, that policy was, from the beginning, purely commercial; and the commercial system was wholly restrictive. It was the system of a monopoly. No trade was let loose from that constraint, but merely to enable the colonists to dispose of what, in the course of your trade, you could not take; or to enable them to dispose of such articles as we forced upon them, and for which, without some degree of liberty, they could not pay. Hence all your specific and detailed enumerations: hence the innumerable checks and counterchecks: hence that infinite variety of paper chains by which you bind together this complicated system of the colonies. This principle of commercial monopoly runs through no less than twenty-nine acts of parliament, from the year 1660 to the unfortunate period of 1764. 10

In all those acts the system of commerce is established, as that, from whence alone you proposed to make the colonies contribute (I mean directly and by the operation of your superintending legislative power) to the strength of the empire. I venture to say, that during that whole period, a parliamentary revenue from thence was never once in contemplation. Accordingly, in all the number of laws passed with regard to the plantations, the words which distinguish revenue laws, specifically as such, were, I think, premeditatedly avoided. I do not say, Sir, that a form of words alters the nature of the law, or abridges the power of the law-giver. It certainly does not. However, titles and formal preambles are not always idle words; and the lawyers frequently argue 30

from them. I state these facts to show, not what was your right, but what has been your settled policy. Our revenue laws have usually a *title*, purporting their being *grants*; and the words *give* and *grant* usually precede the enacting parts. Although duties were imposed on America in acts of King Charles II. and in acts of King William, no one title of giving "an aid to his Majesty," or any other of the usual titles to revenue acts, was to be found in any of them till 1764; nor were the words "give and grant" in any preamble
10 until the 6th of George II. However, the title of this act of George II., notwithstanding the words of donation, considers it merely as a regulation of trade, "an act for the better securing of the trade of his Majesty's sugar colonies in America." This act was made on a compromise of all, and at the express desire of a part, of the colonies themselves. It was therefore in some measure with their consent; and having a title directly purporting only a *commercial regulation*, and being in truth nothing more, the words were passed by, at a time when no jealousy was entertained, and things
20 were little scrutinized. Even Governor Bernard, in his second printed letter, dated in 1763, gives it as his opinion, that "it was an act of *prohibition*, not of revenue." This is certainly true, that no act avowedly for the purpose of revenue, and with the ordinary title and recital taken together, is found in the statute book until the year 1764. All before this period stood on commercial regulation and restraint. The scheme of a colony revenue by British authority appeared therefore to the Americans in the light of a great innovation; the words of Governor Bernard's
30 ninth letter, written in Nov. 1765, state this idea very strongly; "it must," says he, "have been supposed, *such an innovation as a parliamentary taxation* would cause a great alarm, and meet with much *opposition* in most parts of America; it was quite new to the people, and had no visible bounds set to it." After stating the weakness of government there, he says, "was this a time to introduce so great

a novelty as a parliamentary inland taxation in America?" Whatever the right might have been, this mode of using it was absolutely new in policy and practice.

Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law for America to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental act of navigation until 1764. Why? because men do bear the inevitable constitution of their original nature 10 with all its infirmities. The act of navigation attended the colonies from their infancy, grew with their growth, and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by law. They scarcely had remembered a time when they were not subject to such restraint. Besides, they were indemnified for it by a pecuniary compensation. Their monopolist happened to be one of the richest men in the world. By his immense capital (primarily employed, not for their benefit, but his own) they were enabled to proceed with their 20 fisheries, their agriculture, their ship-building, (and their trade too within the limits,) in such a manner as got far the start of the slow, languid operations of unassisted nature. This capital was a hot-bed to them. Nothing in the history of mankind is like their progress. For my part, I never cast an eye on their flourishing commerce, and their cultivated and commodious life, but they seem to me rather ancient nations grown to perfection through a long series of fortunate events, and a train of successful industry, accumulating wealth in many centuries, than the colonies 30 of yesterday; than a set of miserable outcasts, a few years ago, not so much sent as thrown out, on the bleak and barren shore of a desolate wilderness, three thousand miles from all civilized intercourse.

All this was done by England, whilst England pursued trade, and forgot revenue. You not only acquired com-

merce, but you actually created the very objects of trade in America ; and by that creation you raised the trade of this kingdom at least fourfold. America had the compensation of your capital, which made her bear her servitude. She had another compensation, which you are now going to take away from her. She had, except the commercial restraint, every characteristic mark of a free people in all her internal concerns. She had the image of the British constitution. She had the substance. She was taxed by 10 her own representatives. She chose most of her own magistrates. She paid them all. She had in effect the sole disposal of her own internal government. This whole state of commercial servitude and civil liberty, taken together, is certainly not perfect freedom ; but comparing it with the ordinary circumstances of human nature, it was a happy and a liberal condition.

I know, Sir, that great and not unsuccessful pains have been taken to inflame our minds by an outcry, in this House and out of it, that in America the act of navigation neither 20 is, nor ever was, obeyed. But if you take the colonies through, I affirm, that its authority never was disputed ; that it was nowhere disputed for any length of time ; and, on the whole, that it was well observed. Wherever the act pressed hard, many individuals indeed evaded it. This is nothing. These scattered individuals never denied the law, and never obeyed it. Just as it happens whenever the laws of trade, whenever the laws of revenue, press hard upon the people in England ; in that case all your shores are full of contraband. Your right to give a monopoly to the 30 East India Company, your right to lay immense duties on French brandy, are not disputed in England. You do not make this charge on any man. But you know that there is not a creek from Pentland Frith to the Isle of Wight, in which they do not smuggle immense quantities of teas, East India goods, and brandies. I take it for granted, that the authority of Governor Bernard in this point is indisput-

able. Speaking of these laws as they regarded that part of America now in so unhappy a condition, he says, "I believe they are nowhere better supported than in this province; I do not pretend that it is entirely free from a breach of these laws; but that such a breach, if discovered, is justly punished." What more can you say of the obedience to any laws in any country? An obedience to these laws formed the acknowledgment, instituted by yourselves, for your superiority; and was the payment you originally imposed for your protection.

Whether you were right or wrong in establishing the colonies on the principles of commercial monopoly, rather than on that of revenue, is at this day a problem of mere speculation. You cannot have both by the same authority. To join together the restraints of an universal internal and external monopoly, with an universal internal and external taxation, is an unnatural union; perfect, uncompensated slavery. You have long since decided for yourself and them; and you and they have prospered exceedingly under that decision.

This nation, Sir, never thought of departing from that choice until the period immediately on the close of the last war. Then a scheme of government new in many things seemed to have been adopted. I saw, or I thought I saw, several symptoms of a great change, whilst I sat in your gallery, a good while before I had the honour of a seat in this House. At that period the necessity was established of keeping up no less than twenty new regiments, with twenty colonels capable of seats in this House. This scheme was adopted with very general applause from all sides, at the very time that, by your conquests in America, your danger from foreign attempts in that part of the world was much lessened, or indeed rather quite over. When this huge increase of military establishment was resolved on, a revenue was to be found to support so great a burthen. Country gentlemen, the great patrons of economy, and the great re-

sisters of a standing armed force, would not have entered with much alacrity into the vote for so large and so expensive an army, if they had been very sure that they were to continue to pay for it. But hopes of another kind were held out to them ; and in particular, I well remember, that Mr. Townshend, in a brilliant harangue on this subject, did dazzle them, by playing before their eyes the image of a revenue to be raised in America.

Here began to dawn the first glimmerings of this new
10 colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom, on other accounts, this country owes very great obligations. I do believe, that he had a very serious desire to benefit the public. But with no small study of the detail, he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally considered his objects in lights that were rather too detached. Whether the business of an American revenue was imposed upon him altogether ; whether
20 it was entirely the result of his own speculation ; or, what is more probable, that his own ideas rather coincided with the instructions he had received ; certain it is, that, with the best intentions in the world, he first brought this fatal scheme into form, and established it by act of parliament.

No man can believe, that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party differences have been long ago composed ; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr. Grenville was a first-rate
30 figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took public business, not as a duty which he was to fulfil, but as a pleasure he was to enjoy ; and he seemed to have no delight out of this House, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will say this

for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low, pimping politics of a court, but to win his way to power, through the laborious gradations of public service ; and to secure to himself a well-earned rank in parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsic ; they must be rather sought in the particular habits of his life ; which, though they do not alter the groundwork of character, yet tinge it with their own hue. He was 10 bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences ; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together ; but it is not apt, except in persons very happily born, to open and to liberalize the mind exactly in the same proportion. Passing from that study he did not go very largely into the world ; but plunged into business ; I mean into the business of office ; and the limited and fixed methods 20 and forms established there. Much knowledge is to be had undoubtedly in that line ; and there is no knowledge which is not valuable. But it may be truly said, that men too much conversant in office are rarely minds of remarkable enlargement. Their habits of office are apt to give them a turn to think the substance of business not to be much more important than the forms in which it is conducted. These forms are adapted to ordinary occasions ; and therefore persons who are nurtured in office do admirably well as long as things go on in their common order ; but when the high roads are broken up, and the waters out, when a new and troubled 30 scene is opened, and the file affords no precedent, then it is that a greater knowledge of mankind, and a far more extensive comprehension of things, is requisite, than ever office gave, or than office can ever give. Mr. Grenville thought better of the wisdom and power of human legislation than in truth it deserves. He conceived, and many conceived

along with him, that the flourishing trade of this country was greatly owing to law and institution, and not quite so much to liberty ; for but too many are apt to believe regulation to be commerce, and taxes to be revenue. Among regulations, that which stood first in reputation was his idol. I mean the act of navigation. He has often professed it to be so. The policy of that act is, I readily admit, in many respects, well understood. But I do say, that if the act be suffered to run the full length of its principle, and is
10 not changed and modified according to the change of times and the fluctuation of circumstances, it must do great mischief, and frequently even defeat its own purpose.

After the war, and in the last years of it, the trade of America had increased far beyond the speculations of the most sanguine imaginations. It swelled out on every side. It filled all its proper channels to the brim. It overflowed with a rich redundancy, and breaking its banks on the right and on the left, it spread out upon some places where it was indeed improper, upon others where it was only irregular.
20 It is the nature of all greatness not to be exact ; and great trade will always be attended with considerable abuses. The contraband will always keep pace in some measure with the fair trade. It should stand as a fundamental maxim, that no vulgar precaution ought to be employed in the cure of evils, which are closely connected with the cause of our prosperity. Perhaps this great person turned his eyes somewhat less than was just towards the incredible increase of the fair trade ; and looked with something of too exquisite a jealousy towards the contraband. He certainly felt a singular degree
30 of anxiety on the subject ; and even began to act from that passion earlier than is commonly imagined. For whilst he was first lord of the admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the lords of the treasury, (my Lord Bute was then at the head of the board,) heavily complaining of the growth of the illicit commerce in America. Some mischief happened even

at that time from this over-earnest zeal. Much greater happened afterwards, when it operated with greater power in the highest department of the finances. The bonds of the act of navigation were straitened so much, that America was on the point of having no trade, either contraband or legitimate. They found, under the construction and execution then used, the act no longer tying, but actually strangling them. All this coming with new enumerations of commodities; with regulations which in a manner put a stop to the mutual coasting intercourse of the colonies: with the 10 appointment of courts of admiralty under various improper circumstances; with a sudden extinction of the paper currencies; with a compulsory provision for the quartering of soldiers; the people of America thought themselves proceeded against as delinquents, or, at best, as people under suspicion of delinquency; and in such a manner as, they imagined, their recent services in the war did not at all merit. Any of these innumerable regulations, perhaps, would not have alarmed alone; some might be thought reasonable; the multitude struck them with terror.

20

But the grand manœuvre in that business of new regulating the colonies, was the 15th act of the fourth of George III.; which, besides containing several of the matters to which I have just alluded, opened a new principle; and here properly began the second period of the policy of this country with regard to the colonies; by which ~~the~~ ^{the} scheme of a regular plantation parliamentary revenue was adopted in theory, and settled in practice. A revenue not substituted in the place of, but superadded to, a monopoly; which monopoly was enforced at the same time with additional 30 strictness, and the execution put into military hands.

This act, Sir, had for the first time the title of "granting duties in the colonies and plantations of America;" and for the first time it was asserted in the preamble, "that it was *just* and *necessary* that a revenue should be raised there." Then came the technical words of "giving and granting,"

and thus a complete American revenue act was made in all the forms, and with a full avowal of the right, equity, policy, and even necessity of taxing the colonies, without any formal consent of theirs. There are contained also in the preamble to that act these very remarkable words—the commons, &c.—“being desirous to make *some* provision in the *present* session of parliament *towards* raising the said revenue.” By these words it appeared to the colonies, that this act was but a beginning of sorrows; that every session
10 was to produce something of the same kind; that we were to go on, from day to day, in charging them with such taxes as we pleased, for such a military force as we should think proper. Had this plan been pursued, it was evident that the provincial assemblies, in which the Americans felt all their portion of importance, and beheld their sole image of freedom, were *ipso facto* [*thereby*] annihilated. This ill prospect before them seemed to be boundless in extent, and endless in duration. Sir, they were not mistaken. The ministry valued themselves when this act passed, and
20 when they gave notice of the stamp act, that both of the duties came very short of their ideas of American taxation. Great was the applause of this measure here. In England we cried out for new taxes on America, whilst they cried out that they were nearly crushed with those which the war and their own grants had brought upon them.

Sir, it has been said in the debate, that when the first American revenue act (the act in 1764, imposing the port duties) passed, the Americans did not object to the principle. It is true they touched it but very tenderly. It was not a
30 direct attack. They were, it is true, as yet novices; as yet unaccustomed to direct attacks upon any of the rights of parliament. The duties were port duties, like those they had been accustomed to bear; with this difference, that the title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it? It is a full

refutation of the pretence for their present cruelty to America ; for it shows, out of their own mouths, that our colonies were backward to enter into the present vexatious and ruinous controversy.

There is also another circulation abroad, (spread with a malignant intention, which I cannot attribute to those who say the same thing in this House,) that Mr. Grenville gave the colony agents an option for their assemblies to tax themselves, which they had refused. I find that much stress is laid on this, as a fact. However, it happens neither to be 10 true nor possible. I will observe first, that Mr. Grenville never thought fit to make this apology for himself in the innumerable debates that were had upon the subject. He might have proposed to the colony agents, that they should agree in some mode of taxation as the ground of an act of parliament. But he never could have proposed that they should tax themselves on requisition, which is the assertion of the day. Indeed, Mr. Grenville well knew, that the colony agents could have no general powers to consent to it ; and they had no time to consult their assemblies for 20 particular powers, before he passed his first revenue act. If you compare dates, you will find it impossible. Burthened as the agents knew the colonies were at that time, they could not give the least hope of such grants. His own favourite governor was of opinion that the Americans were not then taxable objects :

"Nor was the time less favourable to the equity of such a taxation. I don't mean to dispute the reasonableness of America contributing to the charges of Great Britain when she is able ; nor, I believe, would the Americans themselves 30 have disputed it, at a proper time and season. But it should be considered that the American governments themselves have, in the prosecution of the late war, contracted very large debts ; which it will take some years to pay off, and in the mean time occasion very burdensome taxes for that purpose only. For instance, this government, which is as much beforehand as any,

raises every year £37,500 sterling for sinking their debt, and must continue it for four years longer at least before it will be clear."

These are the words of Governor Bernard's letter to a member of the old ministry, and which he has since printed. Mr. Grenville could not have made this proposition to the agents, for another reason. He was of opinion, which he has declared in this house an hundred times, that the colonies could not legally grant any revenue to the crown ; and that
10 infinite mischiefs would be the consequence of such a power. When Mr. Grenville had passed the first revenue act, and in the same session had made this House come to a resolution for laying a stamp duty on America, between that time and the passing the stamp act into a law, he told a considerable and most respectable merchant, a member of this House, whom I am truly sorry I do not now see in his place, when he represented against this proceeding, that if the stamp duty was disliked, he was willing to exchange it for any other equally productive ; but that, if he objected to the
20 Americans being taxed by parliament, he might save himself the trouble of the discussion, as he was determined on the measure. This is the fact, and, if you please, I will mention a very unquestionable authority for it.

Thus, Sir, I have disposed of this falsehood. But falsehood has a perennial spring. It is said, that no conjecture could be made of the dislike of the colonies to the principle. This is as untrue as the other. After the resolution of the House, and before the passing of the stamp act, the colonies of Massachusetts Bay and New York did send remonstrances,
30 objecting to this mode of parliamentary taxation. What was the consequence ? They were suppressed ; they were put under the table, notwithstanding an order of council to the contrary, by the ministry which composed the very council that had made the order : and thus the House proceeded to its business of taxing without the least regular knowledge of the objections which were made to it. But

to give that House its due, it was not over-desirous to receive information, or to hear remonstrance. On the 15th of February, 1765, whilst the stamp act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable colonies as Connecticut, Rhode Island, Virginia, and Carolina; besides one from the traders of Jamaica. As to the colonies, they had no alternative left to them, but to disobey; or to pay the taxes imposed by that parliament which was not suffered, or did not suffer itself, even to hear them remonstrate upon the 10 subject.

This was the state of the colonies before his Majesty thought fit to change his ministers. It stands upon no authority of mine. It is proved by uncontrovertible records. The honourable gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration; and by his manner (as well as my eyes could discern it) he seemed to address himself to me.

Sir, I will answer him as clearly as I am able, and with 20 great openness; I have nothing to conceal. In the year sixty-five, being in a very private station, far enough from any line of business, and not having the honour of a seat in this House, it was my fortune, unknowing and unknown to the then ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the treasury department. It was indeed in a situation of little rank and no consequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what 30 was going on; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward. Sir, Lord Rockingham very early in that summer received a

strong representation from many weighty English merchants and manufacturers, from governors of provinces and commanders of men of war, against almost the whole of the American commercial regulations: and particularly with regard to the total ruin which was threatened to the Spanish trade. I believe, Sir, the noble lord soon saw his way in this business. But he did not rashly determine against acts which it might be supposed were the result of much deliberation. However, Sir, he scarcely
10 began to open the ground, when the whole veteran body of office took the alarm. A violent outcry of all (except those who knew and felt the mischief) was raised against any alteration. On one hand, his attempt was a direct violation of treaties and public law; on the other, the act of navigation and all the corps of trade laws were drawn up in array against it.

The first step the noble lord took, was to have the opinion of his excellent, learned, and ever-lamented friend the late Mr. Yorke, then attorney-general, on the point of law.
20 When he knew that formally and officially, which in substance he had known before, he immediately despatched orders to redress the grievance. But I will say it for the then minister, he is of that constitution of mind, that I know he would have issued, on the same critical occasion, the very same orders, if the acts of trade had been, as they were not, directly against him; and would have cheerfully submitted to the equity of parliament for his indemnity.

On the conclusion of this business of the Spanish trade, the news of the troubles, on account of the stamp act, arrived
30 in England. It was not until the end of October that these accounts were received. No sooner had the sound of that mighty tempest reached us in England, than the whole of the then opposition, instead of feeling humbled by the unhappy issue of their measures, seemed to be infinitely elated, and cried out, that the ministry, from envy to the glory of their predecessors, were prepared to repeal the stamp act.

Near nine years after, the honourable gentleman takes quite opposite ground, and now challenges me to put my hand to my heart, and say, whether the ministry had resolved on the repeal till a considerable time after the meeting of parliament. Though I do not very well know what the honourable gentleman wishes to infer from the admission, or from the denial, of this fact, on which he so earnestly adjures me ; I do put my hand on my heart, and assure him, that they did *not* come to a resolution directly to repeal. They weighed this matter as its difficulty and importance required. 10 They considered maturely among themselves. They consulted with all who could give advice or information. It was not determined until a little before the meeting of parliament ; but it was determined, and the main lines of their own plan marked out, before that meeting. Two questions arose—(I hope I am not going into a narrative troublesome to the House)—

[A cry of, Go on, go on.]

The first of the two considerations was, whether the repeal should be total, or whether only partial ; taking out every- 20 thing burthensome and productive, and reserving only an empty acknowledgment, such as a stamp on cards or dice. The other question was, on what principle the act should be repealed ? On this head also two principles were started. One, that the legislative rights of this country, with regard to America, were not entire, but had certain restrictions and limitations. The other principle was, that taxes of this kind were contrary to the fundamental principles of commerce on which the colonies were founded ; and contrary to every idea of political equity ; by which equity we are bound, as much 30 as possible, to extend the spirit and benefit of the British constitution to every part of the British dominions. The option, both of the measure, and of the principle of repeal, was made before the session ; and I wonder how any one can read the king's speech at the opening of that session, without seeing in that speech both the repeal and the declaratory act

very sufficiently crayoned out. Those who cannot see this can see nothing.

Surely the honourable gentleman will not think that a great deal less time than was then employed ought to have been spent in deliberation, when he considers that the news of the troubles did not arrive till towards the end of October. The parliament sat to fill the vacancies on the 14th day of December, and on business the 14th of the following January.

- 10 Sir, a partial repeal, or, as the *bon ton* of the court then was, a *modification*, would have satisfied a timid, unsystematic, procrastinating ministry, as such a measure has since done such a ministry. A modification is the constant resource of weak, undeciding minds. To repeal by the denial of our right to tax in the preamble, (and this too did not want advisers,) would have cut, in the heroic style, the Gordian knot with a sword. Either measure would have cost no more than a day's debate. But when the total repeal was adopted ; and adopted on principles of policy, of equity,
- 20 and of commerce ; this plan made it necessary to enter into many and difficult measures. It became necessary to open a very large field of evidence commensurate to these extensive views. But then this labour did knight's service. It opened the eyes of several to the true state of the American affairs ; it enlarged their ideas ; it removed prejudices ; and it conciliated the opinions and affections of men. The noble lord, who then took the lead in administration, my honourable friend under me, and a right honourable gentleman, (if he will not reject his share, and it was a large one, of this
- 30 business,) exerted the most laudable industry in bringing before you the fullest, most impartial, and least garbled body of evidence that ever was produced to this House. I think the inquiry lasted in the committee for six weeks ; and, at its conclusion, this House, by an independent, noble, spirited, and unexpected majority ; by a majority that will redeem all the acts ever done by majorities in parliament ;

in the teeth of all the old mercenary Swiss of state, in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a court, gave a total repeal to the stamp act, and (if it had been so permitted) a lasting peace to this whole empire.

I state, Sir, these particulars, because this act of spirit and fortitude has lately been, in the circulation of the season, and in some hazarded declamations in this House, attributed to timidity. If, Sir, the conduct of ministry, in proposing 10 the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the cabinet, as personal timidity does in the field. But timidity, with regard to the well-being of our country, is heroic virtue. The noble lord who then conducted affairs, and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were not afraid steadily to look in the face that glaring and dazzling influence at which 20 the eyes of eagles have blenched. He looked in the face of one of the ablest, and, let me say, not the most scrupulous, oppositions, that perhaps ever was in this House; and withstood it, unaided by even one of the usual supports of administration. He did this when he repealed the stamp act. He looked in the face of a person he had long respected and regarded, and whose aid was then particularly wanting; I mean Lord Chatham. He did this when he passed the declaratory act.

It is now given out for the usual purposes by the usual emissaries, that Lord Rockingham did not consent to the 30 repeal of this act until he was bullied into it by Lord Chatham; and the reporters have gone so far as publicly to assert, in a hundred companies, that the honourable gentleman under the gallery, who proposed the repeal in the American committee, had another set of resolutions in his pocket directly the reverse of those he moved. These arti-

fices of a desperate cause are at this time spread abroad, with incredible care, in every part of the town, from the highest to the lowest companies ; as if the industry of the circulation were to make amends for the absurdity of the report.

Sir, whether the noble lord is of a complexion to be bullied by Lord Chatham, or by any man, I must submit to those who know him. I confess, when I look back to that time, I consider him as placed in one of the most trying situations in which, perhaps, any man ever stood. In the House of
10 Peers there were very few of the ministry, out of the noble lord's own particular connexion, (except Lord Egmont, who acted, as far as I could discern, an honourable and manly part,) that did not look to some other future arrangement, which warped his politics. There were in both Houses new and menacing appearances, that might very naturally drive any other, than a most resolute minister, from his measure or from his station. The household troops openly revolted. The allies of ministry (those, I mean, who supported some of their measures, but refused responsibility for any) endea-
20 voured to undermine their credit, and to take ground that must be fatal to the success of the very cause which they would be thought to countenance. The question of the repeal was brought on by ministry in the committee of this House, in the very instant when it was known that more than one court negotiation was carrying on with the heads of the opposition. Everything, upon every side, was full of traps and mines. Earth below shook ; heaven above menaced ; all the elements of ministerial safety were dissolved. It was in the midst of this chaos of plots and
30 counter-plots ; it was in the midst of this complicated warfare against public opposition and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground ; no, not an inch. He remained fixed and determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology.

I will likewise do justice, I ought to do it, to the honourable gentleman who led us in this house. Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example he gave us, down even to myself, the weakest in that phalanx. I declare for one, I knew well enough (it could not be concealed from anybody) the true state of things ; but, in my life, I never came with so much spirits into this House. It was a time for a *man* to act in. We had powerful enemies ; but we had faithful and determined 10 friends ; and a glorious cause. We had a great battle to fight ; but we had the means of fighting ; not as now, when our arms are tied behind us. We did fight that day, and conquer.

I remember, Sir, with a melancholy pleasure, the situation of the honourable gentleman who made the motion for the repeal ; in that crisis, when the whole trading interest of this empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When, at length, 20 you had determined in their favour, and your doors, thrown open, showed them the figure of their deliverer in the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children on a long absent father. They clung about him as captives about their redeemer. All England, all America, joined to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. *Hope elevated and joy brightened his crest.* 30 I stood near him ; and his face, to use the expression of the Scripture of the first martyr, "his face was as if it had been the face of an angel." I do not know how others feel ; but if I had stood in that situation, I never would have exchanged it for all that kings in their profusion could bestow. I did hope that that day's danger and honour would have

been a bond to hold us all together for ever. But, alas ! that, with other pleasing visions, is long since vanished.

Sir, this act of supreme magnanimity has been represented, as if it had been a measure of an administration, that having no scheme of their own, took a middle line, pilfered a bit from one side and a bit from the other. Sir, they took *no* middle lines. They differed fundamentally from the schemes of both parties ; but they preserved the objects of both. They preserved the authority of Great Britain. They pre-
10 served the equity of Great Britain. They made the declaratory act ; they repealed the stamp act. They did both *fully* ; because the declaratory act was *without qualification* ; and the repeal of the stamp act *total*. This they did in the situation I have described.

Now, Sir, what will the adversary say to both these acts ? If the principle of the declaratory act was not good, the principle we are contending for this day is monstrous. If the principle of the repeal was not good, why are we not at war for a real, substantial, effective revenue ? If both were
20 bad, why has this ministry incurred all the inconveniences of both and of all schemes ? Why have they enacted, repealed, enforced, yielded, and now attempt to enforce again ?

Sir, I think I may as well now, as at any other time, speak to a certain matter of fact, not wholly unrelated to the question under your consideration. We, who would persuade you to revert to the ancient policy of this kingdom, labour under the effect of this short current phrase, which the court leaders have given out to all their corps, in order to take away the credit of those who would prevent you from that
30 frantic war you are going to wage upon your colonies. Their cant is this ; " All the disturbances in America have been created by the repeal of the stamp act." I suppress for a moment my indignation at the falsehood, baseness, and absurdity of this most audacious assertion. Instead of remarking on the motives and character of those who have issued it for circulation, I will clearly lay before you the

state of America, antecedently to that repeal ; after the repeal ; and since the renewal of the schemes of American taxation.

It is said, that the disturbances, if there were any, before the repeal, were slight ; and, without difficulty or inconvenience might have been suppressed. For an answer to this assertion I will send you to the great author and patron of the stamp act, who certainly meaning well to the authority of this country, and fully apprized of the state of that, made, before a repeal was so much as agitated in this 10 House, the motion which is on your journals ; and which, to save the clerk the trouble of turning to it, I will now read to you. It was for an amendment to the address of the 17th of December, 1765 :

"To express our just resentment and indignation at the outrages, tumults, and insurrections which have been excited and carried on in North America ; and at the resistance given, by open and rebellious force, to the execution of the laws in that part of his Majesty's dominions. And to assure his Majesty, that his faithful commons, animated with the warmest 20 duty and attachment to his royal person and government, will firmly and effectually support his Majesty in all such measures as shall be necessary for preserving and supporting the legal dependence of the colonies on the mother country," &c. &c.

Here was certainly a disturbance preceding the repeal ; such a disturbance as Mr. Grenville thought necessary to qualify by the name of an *insurrection*, and the epithet of a *rebellious* force : terms much stronger than any by which those, who then supported his motion, have ever since thought proper to distinguish the subsequent disturbances 30 in America. They were disturbances which seemed to him and his friends to justify as strong a promise of support, as hath been usual to give in the beginning of a war with the most powerful and declared enemies. When the accounts of the American governors came before the House, they appeared stronger even than the warmth of public imagina-

tion had painted them ; so much stronger, that the papers on your table bear me out in saying, that all the late disturbances, which have been at one time the minister's motives for the repeal of five out of six of the new court taxes, and are now his pretences for refusing to repeal that sixth, did not amount—why do I compare them?—no, not to a tenth part of the tumults and violence which prevailed long before the repeal of that act.

Ministry cannot refuse the authority of the commander in
10 chief, General Gage, who, in his letter of the 4th of November, from New York, thus represents the state of things :

"It is difficult to say, from the highest to the lowest, who has not been accessory to this insurrection, either by writing or mutual agreements, to oppose the act, by what they are pleased to term all legal opposition to it. Nothing effectual has been proposed, either to prevent or quell the tumult. The rest of the provinces are in the same situation as to a positive refusal to take the stamps ; and threatening those who shall take them, to plunder and murder them ; and this affair
20 *stands in all the provinces, that unless the act, from its own nature, enforce itself, nothing but a very considerable military force can do it."*

It is remarkable, Sir, that the persons who formerly trumpeted forth the most loudly, the violent resolutions of assemblies ; the universal insurrections ; the seizing and burning the stamped papers ; the forcing stamp officers to resign their commissions under the gallows ; the rifling and
pulling down of the houses of magistrates ; and the expulsion
from their country of all who dared to write or speak a
30 single word in defence of the powers of parliament ; these very trumpeters are now the men that represent the whole as a mere trifle ; and choose to date all the disturbances from the repeal of the stamp act, which put an end to them. Hear your officers abroad, and let them refute this shameless falsehood ; who, in all their correspondence, state the disturbances as owing to their true causes, the discontent of the

people, from the taxes. You have this evidence in your own archives—and it will give you complete satisfaction ; if you are not so far lost to all parliamentary ideas of information, as rather to credit the lie of the day, than the records of your own House.

Sir, this vermin of court reporters, when they are forced into day upon one point, are sure to burrow in another ; but they shall have no refuge ; I will make them bolt out of all their holes. Conscious that they must be baffled, when they attribute a precedent disturbance to a subsequent measure, 10 they take other ground, almost as absurd, but very common in modern practice, and very wicked ; which is, to attribute the ill effect of ill-judged conduct to the arguments which had been used to dissuade us from it. They say, that the opposition made in parliament to the stamp act at the time of its passing, encouraged the Americans to their resistance. This has even formally appeared in print in a regular volume, from an advocate of that faction, a Dr. Tucker. This Dr. Tucker is already a dean, and his earnest labours in this vineyard will, I suppose, raise him to a bishopric. But 20 this assertion too, just like the rest, is false. In all the papers which have loaded your table ; in all the vast crowd of verbal witnesses that appeared at your bar, witnesses which were indiscriminately produced from both sides of the House ; not the least hint of such a cause of disturbance has ever appeared. As to the fact of a strenuous opposition to the stamp act, I sat as a stranger in your gallery when the act was under consideration. Far from anything inflammatory, I never heard a more languid debate in this House. No more than two or three gentlemen, as I remember, spoke 30 against the act, and that with great reserve, and remarkable temper. There was but one division in the whole progress of the bill : and the minority did not reach to more than 39 or 40. In the House of Lords I do not recollect that there was any debate or division at all. I am sure there was no protest. In fact, the affair passed with so very, very little

noise, that in town they scarcely knew the nature of what you were doing. The opposition to the bill in England never could have done this mischief, because there scarcely ever was less of opposition to a bill of consequence.

Sir, the agents and distributors of falsehoods have, with their usual industry, circulated another lie of the same nature with the former. It is this, that the disturbances arose from the account which had been received in America of the change in the ministry. No longer awed, it seems, 10 with the spirit of the former rulers, they thought themselves a match for what our calumniators chose to qualify by the name of so feeble a ministry as succeeded. Feeble in one sense these men certainly may be called ; for, with all their efforts, and they have made many, they have not been able to resist the distempered vigour, and insane alacrity, with which you are rushing to your ruin. But it does so happen, that the falsity of this circulation is (like the rest) demonstrated by indisputable dates and records.

So little was the change known in America, that the letters 20 of your governors, giving an account of these disturbances long after they had arrived at their highest pitch, were all directed to the *old ministry*, and particularly to the *Earl of Halifax*, the secretary of state corresponding with the colonies, without once in the smallest degree intimating the slightest suspicion of any ministerial revolution whatsoever. The ministry was not changed in England until the 10th day of July, 1765. On the 14th of the preceding June, Governor 25 Fauquier from Virginia writes thus ; and writes thus to the Earl of Halifax : "*Government is set at defiance, not having strength enough in their hands to enforce obedience to the laws of the community. The private distress which every man feels, increases the general dissatisfaction at the duties laid by the stamp act, which breaks out and shows itself upon every trifling occasion.*" The general dissatisfaction had produced some time before, that is, on the 29th of May, several strong public resolves against the stamp act ; and those resolves are

assigned by Governor Bernard as the cause of the *insurrections* in Massachusetts Bay, in his letter of the 15th of August, still addressed to the Earl of Halifax; and he continued to address such accounts to that minister quite to the 7th of September of the same year. Similar accounts, and of as late a date, were sent from other governors, and all directed to Lord Halifax. Not one of these letters indicates the slightest idea of a change, either known, or even apprehended.

Thus are blown away the insect race of courtly falsehoods! 10
thus perish the miserable inventions of the wretched runners for a wretched cause, which they have fly-blown into every weak and rotten part of the country, in vain hopes that when their maggots had taken wing, their importunate buzzing might sound something like the public voice!

Sir, I have troubled you sufficiently with the state of America before the repeal. Now I turn to the honourable gentleman who so stoutly challenges us to tell, whether, after the repeal, the provinces were quiet? This is coming home to the point. Here I meet him directly; and answer 20 most readily, *They were quiet*. And I, in my turn, challenge him to prove when, and where, and by whom, and in what numbers, and with what violence, the other laws of trade, as gentlemen assert, were violated in consequence of your concession? or that even your other revenue laws were attacked? But I quit the vantage-ground on which I stand, and where I might leave the burthen of the proof upon him: I walk down upon the open plain, and undertake to show, that they were not only quiet, but showed many unequivocal marks of acknowledgment and gratitude. And to give him every 30 advantage, I select the obnoxious colony of Massachusetts Bay, which at this time (but without hearing her) is so heavily a culprit before parliament—I will select their proceedings even under circumstances of no small irritation. For, a little imprudently, I must say, Governor Bernard mixed in the administration of the lenitive of the repeal no

small acrimony arising from matters of a separate nature. Yet see, Sir, the effect of that lenitive, though mixed with these bitter ingredients; and how this rugged people can express themselves on a measure of concession.

"If it is not in our power," (say they in their address to Governor Bernard,) "in so full a manner as will be expected, to show our respectful gratitude to the mother country, or to make a dutiful and affectionate return to the indulgence of the king and parliament, it shall be no fault of ours; for this we
10 intend, and hope we shall be able fully to effect."

Would to God that this temper had been cultivated, managed, and set in action! other effects than those which we have since felt would have resulted from it. On the requisition for compensation to those who had suffered from the violence of the populace, in the same address they say, "*The recommendation enjoined by Mr. Secretary Conway's letter, and in consequence thereof made to us, we will embrace the first convenient opportunity to consider and act upon.*" They did consider; they did act upon it. They obeyed the
20 requisition. I know the mode has been chicaned upon; but it was substantially obeyed; and much better obeyed than I fear the parliamentary requisition of this session will be, though enforced by all your rigour, and backed with all your power. In a word, the damages of popular fury were compensated by legislative gravity. Almost every other part of America in various ways demonstrated their gratitude. I am bold to say, that so sudden a calm recovered after so violent a storm is without parallel in history. To say that no other disturbance should happen from any other cause, is
30 folly. But as far as appearances went, by the judicious sacrifice of one law, you procured an acquiescence in all that remained. After this experience, nobody shall persuade me, when a whole people are concerned, that acts of lenity are not means of conciliation.

I hope the honourable gentleman has received a fair and full answer to his question.

I have done with the third period of your policy ; that of your repeal ; and the return of your ancient system, and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The state, in the condition I have described it, was delivered into the hands of Lord Chatham—a great and celebrated name ; a name that keeps the name of this country respectable in every other on the globe. It may be truly called,

Clarum et venerabile nomen

10

Gentibus, et multum nostræ quod proderat urbi.

[*A name illustrious and respected in the world, and one which helped our city much.*]

Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind ; and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him ; I am sure I am not disposed to blame him. Let those, 20 who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament. For a wise man, he seemed to me at that time to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were greatly mischievous to himself ; and for that reason, among others, fatal to his country ; measures, the effects of which, I 30 am afraid, are for ever incurable. He made an administration, so checkered and speckled ; he put together a piece of joinery, so crossly indented and whimsically dove-tailed ; a cabinet so variously inlaid ; such a piece of diversified Mosaic ; such a tessellated pavement without cement ; here a bit of black stone, and there a bit of white ; patriots and

courtiers, king's friends and republicans ; whigs and tories ; treacherous friends and open enemies ; that it was indeed a very curious show ; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards, stared at each other, and were obliged to ask, "Sir, your name ?—Sir, you have the advantage of me—Mr. Such-a-one—I beg a thousand pardons—" I venture to say, it did so happen, that persons had a single office divided between them, who had never spoke to each other in their lives, 10 until they found themselves, they knew not how, pigging together, heads and points, in the same truckle-bed.

Sir, in consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such, that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly the contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand upon. When 20 he had accomplished his scheme of administration, he was no longer a minister.

When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of ministry, were admitted to seem as if they acted a part under him, with a modesty that becomes all men, and with a confidence in him, which was justified even in its extravagance by his superior abilities, had never, in any instance, presumed upon any opinion of their own. 30 Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port ; and as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and most powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends ; and instantly

they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when everything was publicly transacted, and with great parade, in his name, they made an act, declaring it highly just and expedient to raise a revenue in America. For even then, Sir, even before this splendid orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant. 10

This light too is passed and set for ever. You understand, to be sure, that I speak of Charles Townshend, officially the re-producer of this fatal scheme ; whom I cannot even now remember without some degree of sensibility. In truth, Sir, he was the delight and ornament of this House, and the charm of every private society which he honoured with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit ; and (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew better by far, than any man I ever was acquainted with, how to bring together, within a short time, all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite and vulgar, nor subtle and abstruse. He hit the House just between wind and water.—And not being troubled with 30 too anxious a zeal for any matter in question, he was never more tedious, or more earnest, than the pre-conceived opinions and present temper of his hearers required ; to whom he was always in perfect unison. He conformed exactly to the temper of the House ; and he seemed to guide, because he was also sure to follow it.

I beg pardon, Sir, if, when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and land-marks in the state. The credit of such men at court, or in the nation, is the sole cause of all the public measures. It would be an invidious thing (most foreign, I trust, to what you think my disposition) to remark the errors into which the authority of great names
10 has brought the nation, without doing justice, at the same time, to the great qualities whence that authority arose. The subject is instructive to those who wish to form themselves on whatever of excellence has gone before them. There are many young members in the House (such of late has been the rapid succession of public men) who never saw that prodigy, Charles Townshend; nor of course know what a ferment he was able to excite in everything by the violent ebullition of his mixed virtues and failings. For failings he had undoubtedly—many of us remember them; we are this
20 day considering the effect of them. But he had no failings which were not owing to a noble cause; to an ardent, generous, perhaps an immoderate, passion for fame; a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared; but he paid his particular devotions to her in her favourite habitation, in her chosen temple, the House of Commons. Besides the characters of the individuals that compose our body, it is impossible, Mr. Speaker, not to observe that this House has a collective character of its own. That character too, how-
30 ever imperfect, is not unamiable. Like all great public collections of men, you possess a marked love of virtue and an abhorrence of vice. But among vices, there is none which the House abhors in the same degree with *obstinacy*. *Obstinacy*, Sir, is certainly a great vice; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that

almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied to this disagreeable quality, of which you have so just an abhorrence ; and, in their excess, all these virtues very easily fall into it. He, who paid such a punctilious attention to all your feelings, certainly took care not to shock them by that vice which is the most disgusting to you.

That fear of displeasing those who ought most to be pleased, betrayed him sometimes into the other extreme. 10 He had voted, and, in the year 1765, had been an advocate, for the stamp act. Things and the disposition of men's minds were changed. In short, the stamp act began to be no favourite in this House. He therefore attended at the private meeting, in which the resolutions moved by a right honourable gentleman were settled ; resolutions leading to the repeal. The next day he voted for that repeal ; and he would have spoken for it too, if an illness, (not, as was then given out, a political,) but to my knowledge, a very real illness, had not prevented it. 20

The very next session, as the fashion of this world passeth away, the repeal began to be in as bad an odour in this House as the stamp act had been in the session before. To conform to the temper which began to prevail, and to prevail mostly amongst those most in power, he declared, very early in the winter, that a revenue must be had out of America. Instantly he was tied down to his engagements by some, who had no objection to such experiments, when made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. 30 They always talked as if the king stood in a sort of humiliated state, until something of the kind should be done.

Here this extraordinary man, then chancellor of the exchequer, found himself in great straits. To please universally was the object of his life ; but to tax and to please, no more than to love and to be wise, is not given to men.

However, he attempted it. To render the tax palatable to the partisans of American revenue, he made a preamble stating the necessity of such a revenue. To close with the American distinction, this revenue was *external* or port duty; but again, to soften it to the other party, it was a duty of *supply*. To gratify the *colonists*, it was laid on British manufactures; to satisfy the *merchants of Britain*, the duty was trivial, and (except that on tea, which touched only the devoted East India Company) on none of the grand objects of commerce.

- 10 To counterwork the American contraband, the duty on tea was reduced from a shilling to three-pence. But to secure the favour of those who would tax America, the scene of collection was changed, and, with the rest, it was levied in the colonies. What need I say more? This fine-spun scheme had the usual fate of all exquisite policy. But the original plan of the duties, and the mode of executing that plan, both arose singly and solely from a love of our applause. He was truly the child of the House. He never thought, did, or said anything, but with a view to you. He every day adapted
20 himself to your disposition; and adjusted himself before it as at a looking-glass.

He had observed (indeed it could not escape him) that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this House by one method alone. They were a race of men (I hope in God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles, from any order or system in their politics, or from any sequel or connexion in their
30 ideas, what part they were going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them, all ears open to hear them; each party gaped, and looked alternately for their vote, almost to the end of their speeches. While the House hung in this uncertainty, now the *hear him* rose from this side—

now they rebelled from the other ; and that party, to whom they fell at length from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense withheld gave much greater pain, than he received delight in the clouds of it, which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honours ; and his great aim was to make those agree in admiration of him who never agreed in anything else. 10

Hence arose this unfortunate act, the subject of this day's debate ; from a disposition which, after making an American revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

This revenue act of 1767 formed the fourth period of American policy. How we have fared since then—what woeful variety of schemes have been adopted ; what enforcing, and what repealing ; what bullying, and what submitting ; what doing, and undoing ; what straining, and what 20 relaxing ; what assemblies dissolved for not obeying, and called again without obedience ; what troops sent out to quell resistance, and on meeting that resistance, recalled ; what shiftings, and changes, and jumbings of all kinds of men at home, which left no possibility of order, consistency, vigour, or even so much as a decent unity of colour in any one public measure.—It is a tedious, irksome task. My duty may call me to open it out some other time ; on a former occasion I tried your temper on a part of it ; for the present I shall forbear. 30

After all these changes and agitations, your immediate situation upon the question on your paper is at length brought to this. You have an act of parliament, stating, that "*it is expedient to raise a revenue in America.*" By a partial repeal you annihilated the greatest part of that revenue, which this preamble declares to be so expedient. You have

substituted no other in the place of it. A secretary of state has disclaimed, in the king's name, all thoughts of such a substitution in future. The principle of this disclaimer goes to what has been left, as well as what has been repealed. The tax which lingers after its companions (under a preamble declaring an American revenue expedient, and for the sole purpose of supporting the theory of that preamble) militates with the assurance authentically conveyed to the colonies; and is an exhaustless source of jealousy and animosity. On
10 this state, which I take to be a fair one; not being able to discern any grounds of honour, advantage, peace, or power, for adhering, either to the act or to the preamble, I shall vote for the question which leads to the repeal of both.

If you do not fall in with this motion, then secure something to fight for, consistent in theory and valuable in practice. If you must employ your strength, employ it to uphold you in some honourable right, or some profitable wrong. If you are apprehensive that the concession recommended to you, though proper, should be a means of drawing
20 on you further but unreasonable claims,—why then employ your force in supporting that reasonable concession against those unreasonable demands. You will employ it with more grace; with better effect; and with great probable concurrence of all the quiet and rational people in the provinces; who are now united with, and hurried away by, the violent; having indeed different dispositions, but a common interest. If you apprehend that on a concession you shall be pushed by metaphysical process to the extreme lines, and argued out of your whole authority, my advice is this; when you have
30 recovered your old, your strong, your tenable position, then face about—stop short—do nothing more—reason not at all—oppose the ancient policy and practice of the empire, as a rampart against the speculations of innovators on both sides of the question; and you will stand on great, manly, and sure ground. On this solid basis fix your machines, and they will draw worlds towards you.

Your ministers, in their own and his Majesty's name, have already adopted the American distinction of internal and external duties. It is a distinction, whatever merit it may have, that was originally moved by the Americans themselves; and I think they will acquiesce in it, if they are not pushed with too much logic and too little sense, in all the consequences. That is, if external taxation be understood, as they and you understand it, when you please, to be not a distinction of geography, but of policy; that it is a power for regulating trade, and not for supporting establishments. 10 The distinction, which is as nothing with regard to right, is of most weighty consideration in practice. Recover your old ground, and your old tranquillity—try it—I am persuaded the Americans will compromise with you. When confidence is once restored, the odious and suspicious *summum jus [rigour of the law]* will perish of course. The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of amicable settlement. Consult and follow your experience. Let not the long story, with which I have exercised your 20 patience, prove fruitless to your interests.

For my part, I should choose (if I could have my wish) that the proposition of the honourable gentleman for the repeal could go to America without the attendance of the penal bills. Alone I could almost answer for its success. I cannot be certain of its reception in the bad company it may keep. In such heterogeneous assortments, the most innocent person will lose the effect of his innocency. Though you should send out this angel of peace, yet you are sending out a destroying angel too: and what would be the effect of the 30 conflict of these two adverse spirits, or which would predominate in the end, is what I dare not say: whether the lenient measures would cause American passion to subside, or the severe would increase its fury—all this is in the hand of Providence. Yet now, even now, I should confide in the prevailing virtue and efficacious operation of lenity, though

working in darkness, and in chaos, in the midst of all this unnatural and turbid combination : I should hope it might produce order and beauty in the end.

Let us, Sir, embrace some system or other before we end this session. Do you mean to tax America, and to draw a productive revenue from thence? If you do, speak out; name, fix, ascertain this revenue; settle its quantity; define its objects; provide for its collection; and then fight when you have something to fight for. If you murder, rob; if
10 you kill, take possession: and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and tyrannical, without an object. But may better counsels guide you!

Again, and again, revert to your own principles—seek peace and ensue it—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, not attempting to mark their boundaries. I do not enter into these metaphysical distinctions; I hate the very sound of them. Leave the Americans as they
20 anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind America by laws of trade; you have always done it. Let this be your reason for binding their trade. Do not burthen them by taxes; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the
30 rest to the schools; for there only they may be discussed with safety. But if, intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature of supreme sovereignty, you will teach them by these means to call that sovereignty itself in question. When you drive

him hard, the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be reconciled, which will they take? They will cast your sovereignty in your face. Nobody will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up, and tell me, what one character of liberty the Americans have, and what one brand of slavery they are free from, if they are bound in their property and industry, by all the restraints you can imagine on commerce, and at the same time are made pack-horses of every tax you 10 choose to impose, without the least share in granting them. When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of unlimited revenue too? The Englishman in America will feel that this is slavery—that it is *legal* slavery, will be no compensation, either to his feelings or his understanding.

A noble lord, who spoke some time ago, is full of the fire of ingenuous youth; and when he has modelled the ideas of a lively imagination by further experience, he will be an ornament to his country in either House. He has said, that 20 the Americans are our children, and how can they revolt against their parent? He says, that if they are not free in their present state, England is not free; because Manchester, and other considerable places, are not represented. So then, because some towns in England are not represented, America is to have no representative at all. They are "our children;" but when children ask for bread we are not to give a stone. Is it because the natural resistance of things, and the various mutations of time, hinders our government, or any scheme of government, from being any more than a sort of approxima- 30 tion to the right, is it therefore that the colonies are to recede from it infinitely? When this child of ours wishes to assimilate to its parent, and to reflect with a true filial resemblance the beauteous countenance of British liberty; are we to turn to them the shameful parts of our constitution? are we to give them our weakness for their strength? our

opprobrium for their glory? and the slough of slavery, which we are not able to work off, to serve them for their freedom?

If this be the case, ask yourselves this question, Will they be content in such a state of slavery? If not, look to the consequences. Reflect how you are to govern a people, who think they ought to be free, and think they are not. Your scheme yields no revenue; it yields nothing but discontent, disorder, disobedience; and such is the state of America, that after wading up to your eyes in blood, you could only
10 end just where you begun; that is, to tax where no revenue is to be found, to—my voice fails me; my inclination indeed carries me no farther—all is confusion beyond it.

Well, Sir, I have recovered a little, and before I sit down I must say something to another point with which gentlemen urge us. What is to become of the declaratory act asserting the entireness of British legislative authority, if we abandon the practice of taxation?

For my part I look upon the rights stated in that act, exactly in the manner in which I viewed them on its very
20 first proposition, and which I have often taken the liberty, with great humility, to lay before you. I look, I say, on the imperial rights of Great Britain, and the privileges which the colonists ought to enjoy under these rights, to be just the most reconcilable things in the world. The parliament of Great Britain sits at the head of her extensive empire in two capacities: one as the local legislature of this island, providing for all things at home, immediately, and by no other instrument than the executive power.—The other, and I think her nobler capacity, is what I call her *imperial*
30 *character*; in which, as from the throne of heaven, she superintends all the several inferior legislatures, and guides and controls them all, without annihilating any. As all these provincial legislatures are only co-ordinate to each other, they ought all to be subordinate to her; else they can neither preserve mutual peace, nor hope for mutual justice, nor effectually afford mutual assistance. It is necessary to

coerce the negligent, to restrain the violent, and to aid the weak and deficient, by the overruling plenitude of her power. She is never to intrude into the place of the others, whilst they are equal to the common ends of their institution. But in order to enable parliament to answer all these ends of provident and beneficent superintendence, her powers must be boundless. The gentlemen who think the powers of parliament limited, may please themselves to talk of requisitions. But suppose the requisitions are not obeyed? What! Shall there be no reserved power in the empire, to supply a deficiency which may weaken, divide, and dissipate the whole? We are engaged in war—the secretary of state calls upon the colonies to contribute—some would do it, I think most would cheerfully furnish whatever is demanded—one or two, suppose, hang back, and, easing themselves, let the stress of the draft lie on the others—surely it is proper, that some authority might legally say—“Tax yourselves for the common supply, or parliament will do it for you.” This backwardness was, as I am told, actually the case of Pennsylvania for some short time towards the beginning of the 20 last war, owing to some internal dissensions in the colony. But whether the fact were so, or otherwise, the case is equally to be provided for by a competent sovereign power. But then this ought to be no ordinary power; nor ever used in the first instance. This is what I meant, when I have said at various times, that I consider the power of taxing in parliament as an instrument of empire, and not as a means of supply.

Such, Sir, is my idea of the constitution of the British empire, as distinguished from the constitution of Britain; and on these grounds I think subordination and liberty may 30 be sufficiently reconciled through the whole; whether to serve a refining speculatist, or a factious demagogue, I know not; but enough surely for the ease and happiness of man.

Sir, whilst we held this happy course, we drew more from the colonies than all the impotent violence of despotism ever could extort from them. We did this abundantly in the last

war. It has never been once denied—and what reason have we to imagine that the colonies would not have proceeded in supplying government as liberally, if you had not stepped in and hindered them from contributing, by interrupting the channel in which their liberality flowed with so strong a course; by attempting to take, instead of being satisfied to receive? Sir William Temple says, that Holland has loaded itself with ten times the impositions which it revolted from Spain rather than submit to. He says true. Tyranny is a poor provider. It knows neither how to accumulate, nor how to extract.

I charge therefore to this new and unfortunate system the loss not only of peace, of union, and of commerce, but even of revenue, which its friends are contending for.—It is morally certain, that we have lost at least a million of free grants since the peace. I think we have lost a great deal more; and that those, who look for a revenue from the provinces, never could have pursued, even in that light, a course more directly repugnant to their purposes.

20 Now, Sir, I trust I have shown, first on that narrow ground which the honourable gentleman measured, that you are likely to lose nothing by complying with the motion, except what you have lost already. I have shown afterwards, that in time of peace you flourished in commerce, and, when war required it, had sufficient aid from the colonies, while you pursued your ancient policy; that you threw everything into confusion when you made the stamp act; and that you restored everything to peace and order when you repealed it. I have shown that the revival of the
30 system of taxation has produced the very worst effects; and that the partial repeal has produced, not partial good, but universal evil. Let these considerations, founded on facts, not one of which can be denied, bring us back to our reason by the road of our experience.

I cannot, as I have said, answer for mixed measures: but surely this mixture of lenity would give the whole a better

chance of success. When you once regain confidence, the way will be clear before you. Then you may enforce the act of navigation when it ought to be enforced. You will yourselves open it where it ought still further to be opened. Proceed in what you do, whatever you do, from policy, and not from rancour. Let us act like men, let us act like statesmen. Let us hold some sort of consistent conduct.—It is agreed that a revenue is not to be had in America. If we lose the profit, let us get rid of the odium.

On this business of America, I confess I am serious, even 10 to sadness. I have had but one opinion concerning it since I sat, and before I sat, in parliament. The noble lord will, as usual, probably attribute the part taken by me and my friends in this business, to a desire of getting his places. Let him enjoy this happy and original idea. If I deprived him of it, I should take away most of his wit, and all his argument. But I had rather bear the brunt of all his wit, and indeed blows much heavier, than stand answerable to God for embracing a system that tends to the destruction of some of the very best and fairest of his works. But I know 20 the map of England, as well as the noble lord, or as any other person; and I know that the way I take is not the road to preferment. My excellent and honourable friend under me on the floor has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow; because I know they lead to honour. Long may we tread the same road together; whoever may accompany us, or whoever may laugh at us on our journey! I honestly and 30 solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interest—and that, by limiting the exercise, it fixes, on the firmest foundations, a real, consistent, well-grounded authority in parliament. Until you come back to that system, there will be no peace for England.

SPEECH ON MOVING HIS RESOLUTIONS

FOR

CONCILIATION WITH THE COLONIES.

MARCH 22, 1775.

I HOPE, Sir, that, notwithstanding the austerity of the Chair, your good-nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural, that those who have an object depending, which strongly engages their hopes and fears, should be somewhat inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal bill, by which we had passed sentence on the trade and sustenance of America, 10 is to be returned to us from the other House. I do confess, I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favour; by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight for ever, we are at this very instant nearly as free to choose a plan for our American government as we were on the first day of the session. If, Sir, we incline to the side of conciliation, we 20 are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a

superior warning voice, again to attend to America ; to attend to the whole of it together ; and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject ; or there is none so on this side of the grave. When I first had the honour of a seat in this House, the affairs of that continent pressed themselves upon us, as the most important and most delicate object of parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust ; and having no sort of reason to rely 10 on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British Empire. Something of this sort seemed to be indispensable ; in order, amidst so vast a fluctuation of passions and opinions, to concentrate my thoughts ; to ballast my conduct ; to preserve me from being blown about by every wind of fashionable doctrine. I really did not 20 think it safe, or manly, to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period I had the fortune to find myself in perfect concurrence with a large majority in this House. Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge. 30

Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct, than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to censure on the motives of former parliaments

to all those alterations, one fact is undoubted,—that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper ; until, by a variety of experiments, that important country has been brought into her present situation ;—a situation which I will not miscall, which I dare not name ; which I scarcely know how to comprehend in the terms of any description.

- 10 In this posture, Sir, things stood at the beginning of the session. About that time, a worthy member of great parliamentary experience, who, in the year 1766, filled the chair of the American committee with much ability, took me aside ; and, lamenting the present aspect of our politics, told me, things were come to such a pass, that our former methods of proceeding in the House would be no longer tolerated. That the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity. That the very vicissitudes and
- 20 shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing could satisfy ; whilst we accused every measure of vigour as cruel, and every proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries : we must produce our hand. It would be expected, that those who for many years had been active in such affairs should show, that they had formed some clear and decided
- 30 idea of the principles of colony government ; and were capable of drawing out something like a platform of the ground which might be laid for future and permanent tranquillity.

I felt the truth of what my hon. friend represented ; but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen.

No man was indeed ever better disposed, or worse qualified, for such an undertaking, than myself. Though I gave so far in to his opinion, that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and for my part, I am not ambitious of ridicule; not absolutely a candidate for disgrace.

Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government; nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more; and that things were hastening towards an incurable alienation of our colonies; I confess my caution gave way. I felt this, as one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveller; and there are occasions when any, even the slightest, chance of doing good, must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are by what you ought to be, I persuaded myself that you would not reject a reasonable proposition because it had nothing but its reason to recommend it. On the other hand, being

totally destitute of all shadow of influence, natural or adventitious, I was very sure, that, if my proposition were futile or dangerous; if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will see it just as it is: and you will treat it just as it deserves.

The proposition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endless negotiations; not peace to arise out of
 10 universal discord, fomented from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing questions, or the precise marking the shadowy boundaries of a complex government. It is simple peace; sought in its natural course, and in its ordinary haunts.—It is peace sought in the spirit of peace; and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence of the colonies in the mother country*, to
 20 give permanent satisfaction to your people; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to British government.

My idea is nothing more. Refined policy ever has been the parent of confusion; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed
 30 upon the most simple grounds imaginable, may disappoint some people, when they hear it. It has nothing to recommend it to the prurency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendour of the project, which has been lately laid upon your table by the noble lord in the blue riband. It does not propose to fill your lobby with squabbling colony agents,

who will require the interposition of your mace, at every instant, to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalize and settle.

The plan which I shall presume to suggest, derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is 10 admissible. First, the House, in accepting the resolution moved by the noble lord, has admitted, notwithstanding the menacing front of our address, notwithstanding our heavy bills of pains and penalties—that we do not think ourselves precluded from all ideas of free grace and bounty.

The House has gone further; it has declared conciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted, that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. 20 That right thus exerted is allowed to have had something reprehensible in it; something unwise, or something grievous; since, in the midst of our heat and resentment, we, of ourselves, have proposed a capital alteration; and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of parliament.

The *principle* of this proceeding is large enough for my purpose. The means proposed by the noble lord for carry- 30 ing his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavour to show you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and, where there has been a material dispute, reconciliation does in a manner always

imply concession on the one part or on the other. In this state of things I make no difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honour and with safety. Such an offer from such a power will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy
 10 of his superior; and he loses for ever that time and those chances, which, as they happen to all men, are the strength and resources of all inferior power.

The capital leading questions on which you must this day decide, are these two: First, whether you ought to concede; and secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other
 20 of these great questions with a firm and precise judgment, I think it may be necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us. Because after all our struggle, whether we will or not, we must govern America according to that nature, and to those circumstances; and not according to our own imaginations; nor according to abstract ideas of right; by no means according to mere general theories of government, the resort to which appears to me, in our present situation, no better than arrant trifling. I shall
 30 therefore endeavour, with your leave, to lay before you some of the most material of these circumstances in as full and as clear a manner as I am able to state them.

The first thing that we have to consider with regard to the nature of the object is—the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify myself in

placing the number below two millions of inhabitants of our own European blood and colour ; besides at least 500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, is a matter of little moment. Such is the strength with which population shoots in that part of the world, that state the numbers as high as we will, whilst the dispute continues, 10 the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.

I put this consideration of the present and the growing numbers in the front of our deliberation ; because, Sir, this consideration will make it evident to a blunter discernment 20 than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you, that it is not to be considered as one of those *minima* [*trifles*] which are out of the eye and consideration of the law ; not a paltry excrescence of the state ; not a mean dependent, who may be neglected with little damage, and provoked with little danger. It will prove that some degree of care and caution is required in the handling such an object ; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the 30 human race. You could at no time do so without guilt ; and be assured you will not be able to do it long with impunity.

But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your colonies is out of all pro-

portion beyond the numbers of the people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person, at your bar. This gentleman, after thirty-five years—it is so long since he first appeared at the same place to plead for the commerce of Great Britain—has come again before you to plead the same cause, without any other effect of time, than, that to the fire of imagination and extent of erudition, which even then marked him as one of the first literary characters of his age, 10 he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view, from whence if you will look at this subject, it is impossible that it should 20 not make an impression upon you.

I have in my hand two accounts ; one a comparative state of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772. The other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers ; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the inspector- 30 general's office, which has been ever since his time so abundant a source of parliamentary information.

The export trade to the colonies consists of three great branches. The African, which, terminating almost wholly in the colonies, must be put to the account of their commerce ; the West Indian ; and the North American. All these are so interwoven, that the attempt to separate them,

would tear to pieces the contexture of the whole ; and if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus :

Exports to North America, and the West					
Indies	-	-	-	-	£483,265
To Africa	-	-	-	-	86,665
					<hr/> £569,930

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In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows :

To North America, and the West Indies	£4,791,734	
To Africa	866,398	
To which if you add the export trade		
from Scotland, which had in 1704		
no existence	364,000	
		<hr/> £6,022,132

20

From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelve-fold. This is the state of the colony trade, as compared with itself at these two periods, within this century ;—and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England in 1704.

The whole export trade of England, including that to the colonies, in 1704	£6,509,000	30
Export to the colonies alone, in 1772	6,024,000	
Difference		<hr/> £485,000

The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general
 10 trade has been greatly augmented, and augmented more or less in almost every part to which it ever extended; but with this material difference, that of the six millions which in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but one twelfth part; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods: and all reasoning concerning our mode of treating them must have this proportion as its basis, or it is a
 20 reasoning weak, rotten, and sophistical.

Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is, and what is past. Clouds, indeed, and darkness rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For
 30 instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quæ sit potuit cognoscere virtus* [to study the doings of his forefathers, and to learn the meaning of virtue]—Suppose, Sir, that the angel of this auspicious youth, foreseeing the many virtues, which made him one of

the most amiable, as he is one of the most fortunate, men of his age, had opened to him in vision, that when, in the fourth generation, the third prince of the House of Brunswick had sat twelve years on the throne of that nation, which (by the happy issue of moderate and healing counsels) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a higher rank of peerage, whilst he enriched the family with a new one—If amidst these bright and happy scenes of domestic honour and 10 prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarce visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him—"Young man, there is America—which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners; yet shall, before you taste of death, show itself equal to the whole of that com- 20 merce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life!" If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate indeed, if he lives to see 30 nothing that shall vary the prospect, and cloud the setting of his day!

Excuse me, Sir, if turning from such thoughts I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single pro-

vince of Pennsylvania. In the year 1704, that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why nearly fifty times as much; for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all the colonies together in the first period.

I choose, Sir, to enter into these minute and particular details; because generalities, which in all other cases are apt to heighten and raise the subject, have here a tendency to
 10 sink it. When we speak of the commerce with our colonies, fiction lags after truth; invention is unfruitful, and imagination cold and barren.

So far, Sir, as to the importance of the object in view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many enjoyments they procure, which deceive the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This would be a curious
 20 subject indeed—but I must prescribe bounds to myself in a matter so vast and various.

I pass therefore to the colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest, I am persuaded they will export much more. At the beginning of the century some of these colonies imported corn from the mother country. For some time past, the Old
 30 World has been fed from the New. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

As to the wealth which the colonies have drawn from the sea by their fisheries, you had all that matter fully opened

at your bar. You surely thought these acquisitions of value, for they seemed even to excite your envy ; and yet the spirit by which that enterprising employment has been exercised, ought rather, in my opinion, to have raised your esteem and admiration. And pray, Sir, what in the world is equal to it? Pass by the other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis's Straits, whilst 10 we are looking for them beneath the arctic circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them, than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the 20 longitude, and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people ; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things ; when I know that the colonies in general 30 owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection ; when I reflect upon these effects, when I see how profitable they have been

to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigour relents. I pardon something to the spirit of liberty.

I am sensible, Sir, that all which I have asserted in my detail, is admitted in the gross ; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining
 10 them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art, will of course have some predilection for it. Those who wield the thunder of the state, may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favour of prudent management, than of force ; considering force not as an odious, but a feeble instrument, for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connexion
 20 with us.

First, Sir, permit me to observe, that the use of force alone is but *temporary*. It may subdue for a moment ; but it does not remove the necessity of subduing again ; and a nation is not governed, which is perpetually to be conquered.

My next objection is its *uncertainty*. Terror is not always the effect of force ; and an armament is not a victory. If you do not succeed, you are without resource ; for, conciliation failing, force remains ; but, force failing, no further hope of reconciliation is left. Power and authority are
 30 sometimes bought by kindness ; but they can never be begged as alms by an impoverished and defeated violence.

A further objection to force is, that you *impair the object* by your very endeavours to preserve it. The thing you fought for is not the thing which you recover ; but depreciated, sunk, wasted, and consumed in the contest. Nothing less will content me, than *whole America*. I do not choose

to consume its strength along with our own ; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict ; and still less in the midst of it. I may escape ; but I can make no insurance against such an event. Let me add, that I do not choose wholly to break the American spirit ; because it is the spirit that has made the country.

Lastly, we have no sort of *experience* in favour of force as an instrument in the rule of our colonies. Their growth and 10 their utility has been owing to methods altogether different. Our ancient indulgence has been said to be pursued to a fault. It may be so. But we know if feeling is evidence, that our fault was more tolerable than our attempt to mend it ; and our sin far more salutary than our penitence.

These, Sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to 20 determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce, I mean its *temper and character*.

In this character of the Americans, a love of freedom is the predominating feature which marks and distinguishes the whole : and as an ardent is always a jealous affection, your colonies become suspicious, restive, and untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the 30 only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth ; and this from a great variety of powerful causes ; which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

First, the people of the colonies are descendants of Englishmen. England, Sir, is a nation, which still I hope respects, and formerly adored, her freedom. The colonists emigrated from you when this part of your character was most predominant; and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to English ideas, and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty
 10 inheres in some sensible object; and every nation has formed to itself some favourite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates; or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this
 20 point of taxes the ablest pens, and most eloquent tongues, have been exercised; the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English constitution, to insist on this privilege of granting money as a dry point of fact, and to prove, that the right had been acknowledged in ancient parchments, and blind usages, to reside in a certain body called a House of Commons. They went much farther; they attempted to
 30 prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons, as an immediate representative of the people; whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own

money, or no shadow of liberty could subsist. The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered, in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to make a monopoly of theorems 10 and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles.

They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in a high degree; some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary 20 government never fails to inspire them with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants; and of that kind which is the most adverse to all implicit submission of mind and 30 opinion. This is a persuasion not only favourable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of

the governments where it prevails ; that it has generally gone hand in hand with them, and received great favour and every kind of support from authority. The Church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world ; and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that

10 claim. All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance ; it is the dissidence of dissent, and the Protestantism of the Protestant religion. This religion, under a variety of denominations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces ; where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people.

20 The colonists left England when this spirit was high, and in the emigrants was the highest of all ; and even that stream of foreigners, which has been constantly flowing into these colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner, that some gentlemen object to the latitude of this description ; because in the southern colonies the Church of England forms a large body,

30 and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free, are

by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there, that freedom, as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and 10 these people of the southern colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty, than those to the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our days were the Poles; and such will be all masters of slaves, who are not slaves themselves. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

Permit me, Sir, to add another circumstance in our colonies, which contributes no mean part towards the growth and 20 effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful; and in most provinces it takes the lead. The greater number of the deputies sent to the congress were lawyers. But all who read, and most do read, endeavour to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen 30 into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states, that all the people in his government are lawyers, or smatterers in law; and that in Boston they have

been enabled, by successful chicane, wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say, that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honourable and learned friend on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over
 10 this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* [*Pursuits influence character.*] This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries, the people, more simple, and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the pressure of the grievance by the badness of the principle. They augur
 20 misgovernment at a distance; and snuff the approach of tyranny in every tainted breeze.

The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll, and months pass, between the order and the execution; and the want of a speedy explanation of a single point is enough to defeat a whole system. You
 30 have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea. But there a power steps in, that limits the arrogance of raging passions and furious elements, and says, "So far shalt thou go, and no farther." Who are you, that should fret and rage, and bite the chains of nature?—Nothing worse happens to you than does to all nations who have extensive empire;

and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Curdistan, as he governs Thrace ; nor has he the same dominion in Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all ; and the whole of the force and vigour of his authority in his centre is derived from a prudent relaxa- 10
tion in all his borders. Spain, in her provinces, is, perhaps, not so well obeyed as you are in yours. She complies too ; she submits ; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

Then, Sir, from these six capital sources ; of descent ; of form of government ; of religion in the northern provinces ; of manners in the southern ; of education ; of the remoteness of situation from the first mover of government ; from all these causes a fierce spirit of liberty has grown up. It has grown 20
with the growth of the people in your colonies, and increased with the increase of their wealth ; a spirit, that unhappily meeting with an exercise of power in England, which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might 30
be desired, more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded, that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their own hands. The question is, not whether their spirit deserves praise or blame,

but—what, in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head. You see the magnitude; the importance; the temper; the habits; the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such

10 return will bring the matter before us in a still more untractable form. For, what astonishing and incredible things have we not seen already! What monsters have not been generated from this unnatural contention! Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its

20 activity, and its first vital movement, from the pleasure of the crown. We thought, Sir, that the utmost which the discontented colonists could do, was to disturb authority; we never dreamt they could of themselves supply it; knowing in general what an-operose business it is to establish a government absolutely new. But having, for our purposes in this contention, resolved, that none but an obedient assembly should sit; the humours of the people there, finding all passage through the legal channels stopped, with great violence broke out another way. Some provinces have

30 tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the troublesome formality of an election. Evident necessity, and tacit consent, have done the business in an instant. So well they have done it, that Lord Dunmore (the account is among the fragments on your table) tells you, that the new institu-

tion is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called ; not the name of governor, as formerly, or committee, as at present. This new government has originated directly from the people ; and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from hence is this ; that the colonists having once found the possibility of 10 enjoying the advantages of order in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were confident that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face 20 of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigour, for near a twelvemonth, without governor, without public council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be ; or that we have not at all 30 adverted to some other far more important and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments, which tend to put to the proof any more of these allowed opinions, which contribute so much to the public tranquillity. In effect, we suffer as much at home by

this loosening of all ties, and this concussion of all established opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavouring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which
 10 our ancestors have shed their blood.

But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state, that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit, which prevails in your colonies, and disturbs your government. These are
 20 —To change that spirit, as inconvenient, by removing the causes. To prosecute it as criminal. Or, to comply with it as necessary. I would not be guilty of an imperfect enumeration; I can think of but these three. Another has indeed been started, that of giving up the colonies; but it met so slight a reception, that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

30 The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most like a systematic proceeding. It is radical in its principle; but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed.

As the growing population in the colonies is evidently one

cause of their resistance, it was last session mentioned in both Houses, by men of weight, and received not without applause, that in order to check this evil, it would be proper for the crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands, as to afford room for an immense future population, although the crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to 10 raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population.

But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little 20 attached to particular situations. Already they have topped the Appalachian mountains. From thence they behold before them an immense plain, one vast, rich, level meadow; a square of five hundred miles. Over this they would wander without a possibility of restraint; they would change their manners with the habits of their life; would soon forget a government by which they were disowned; would become hordes of English Tartars; and pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counsellors, your collec- 30 tors and comptrollers, and of all the slaves that adhered to them. Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, "Increase and multiply." Such would be the happy result of an endeavour to keep as a lair of wild beasts, that earth, which God, by an

express charter, has given to the children of men. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts; that the ruling power should never be wholly out of sight. We have settled all we could; and
 10 we have carefully attended every settlement with government.

Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging-in population to be neither prudent nor practicable.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind; a disposition even to continue the restraint after the offence; looking on ourselves
 20 as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider, that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous, to make them unserviceable, in order to keep them obedient. It is, in
 30 truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states, when they who are too weak to contri-

bute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.* [*The plundered ne'er want arms.*]

The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition; your speech would betray you. An Englishman 10 is the unfittest person on earth to argue another Englishman into slavery.

I think it is nearly as little in our power to change their republican religion, as their free descent; or to substitute the Roman Catholic, as a penalty; or the Church of England, as an improvement. The mode of inquisition and dragooning is going out of fashion in the Old World; and I should not confide much to their efficacy in the New. The education of the Americans is also on the same unalterable 20 bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their lawyers from their courts of laws; or to quench the lights of their assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies, in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us; not quite so effectual; and perhaps, in the end, full as difficult to be kept in obedience.

With regard to the high aristocratic spirit of Virginia and 30 the southern colonies, it has been proposed, I know, to reduce it, by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists; yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History

furnishes few instances of it. It is sometimes as hard to persuade slaves to be free, as it is to compel freemen to be slaves; and in this auspicious scheme, we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too; and arm servile hands in defence of freedom? A measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

- 10 Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters? from that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain at-
20 tempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue. "Ye gods, annihilate but space and time, and make two lovers happy!"—was a pious and passionate prayer;—but just as reasonable, as many of the serious wishes of very grave and solemn politicians.

- 30 If then, Sir, it seems almost desperate to think of any alternative course, for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcilable to the late exercise of our authority; but that the spirit infallibly will continue; and, continuing, will produce such effects as now embarrass us, the second mode under consideration is, to prosecute that spirit in its overt acts, as *criminal*.

At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic, to apply the ordinary ideas of 10 criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I hope I am not ripe to pass sentence on the gravest public bodies, intrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think, that for wise men this is not judicious; for sober men, not decent; 20 for minds tinctured with humanity, not mild and merciful.

Perhaps, Sir, I am mistaken in my idea of an empire, as distinguished from a single state or kingdom. But my idea of it is this; that an empire is the aggregate of many states under one common head; whether this head be a monarch, or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority 30 the line may be extremely nice. Of course disputes, often, too, very bitter disputes, and much ill blood, will arise. But though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini*, [by the meaning of the term] to imply a superior power. For

to talk of the privileges of a state, or of a person, who has no superior, is hardly any better than speaking nonsense. Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent, than for the head of the empire to insist, that, if any privilege is pleaded against his will, or his acts, his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not
 10 this, Sir, very soon teach the provinces to make no distinctions on their part? Will it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

We are indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, Sir. But I confess, that the character of judge in my own cause is a thing
 20 that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect, that, in my little reading upon such contests as these, the sense of mankind has, at least, as often decided against the superior as the subordinate power. Sir, let me add too, that the opinion of my having some abstract right in my favour, would not put me much at my ease in passing sentence; unless I could
 30 be sure, that there were no rights which, in their exercise under certain circumstances, were not the most odious of all wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party, at once a civil litigant against me in point of right, and a culprit before me; while I sit as a criminal judge, on acts of his,

whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations ; but justice is the same, let the judge be in what situation he will.

There is, Sir, also a circumstance which convinces me, that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient ; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachusetts Bay, as they had formerly addressed 10 to have traitors brought hither, under an act of Henry the Eighth, for trial. For though rebellion is declared, it is not proceeded against as such ; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former address ; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent ; but it shows how difficult it is to apply these juridical ideas to our 20 present case.

In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious ? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous ? What advances have we made towards our object, by the sending of a force, which, by land and sea, is no contemptible strength ? Has the disorder abated ? Nothing less.—When I see things in this situation, after such confident hopes, bold promises, and active 30 exertions, I cannot, for my life, avoid a suspicion, that the plan itself is not correctly right.

If then the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable ; if the ideas of criminal process be inapplicable, or if applicable, are in the highest degree inexpedient ; what way

yet remains? No way is open, but the third and last—to comply with the American spirit as necessary; or, if you please, to submit to it as a necessary evil.

If we adopt this mode; if we mean to conciliate and concede; let us see of what nature the concession ought to be: to ascertain the nature of our concession, we must look at their complaint. The colonies complain, that they have not the characteristic mark and seal of British freedom. They complain, that they are taxed in a parliament in which they
10 are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask; not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession: whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive, that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true;
20 I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine, whether the giving away a man's money be a power excepted and reserved out of the general trust of government; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature. Or whether, on the contrary,
30 a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other; where reason is perplexed; and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides; and there is no sure footing in the

middle. This point is the *great Serbonian bog, betwixt Damiatra and Mount Casius old, where armies whole have sunk*. I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable; but whether it is not your interest to make them happy. It is not, what a lawyer tells me I *may* do; but what humanity, reason, and justice tell me I ought to do. Is a politic act the worse for being a generous one? Is no concession proper, but that which is made from your 10 want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signify all those titles, and all those arms? Of what avail are they, when the reason of the thing tells me, that the assertion of my title is the loss of my suit; and that I could do nothing but wound myself by the use of my own weapons?

Such is stedfastly my opinion of the absolute necessity of 20 keeping up the concord of this empire by a unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude; that they had solemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty for them and their posterity to all generations; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determining a point of law; 30 I am restoring tranquillity; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we yield as matter of right, or grant as matter of favour, is to admit

the people of our colonies into an interest in the constitution; and, by recording that admission in the journals of parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean for ever to adhere to that solemn declaration of systematic indulgence.

Some years ago, the repeal of a revenue act, upon its understood principle, might have served to show, that we intended an unconditional abatement of the exercise of a taxing power. Such a measure was then sufficient to remove
10 all suspicion, and to give perfect content. But unfortunate events, since that time, may make something further necessary; and not more necessary for the satisfaction of the colonies, than for the dignity and consistency of our own future proceedings.

I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received with dislike. I think, Sir, we have few American financiers. But our misfortune is, we are too acute; we are too exquisite in our conjectures of the future, for men oppressed with
20 such great and present evils. The more moderate among the opposers of parliamentary concession freely confess, that they hope no good from taxation; but they apprehend the colonists have further views; and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced, that this was the intention from the beginning; and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language even of a gentleman of real moderation, and of a natural temper well adjusted to fair
30 and equal government. I am, however, Sir, not a little surprised at this kind of discourse, whenever I hear it; and I am the more surprised, on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths, and on the same day.

For instance, when we allege, that it is against reason to tax a people under so many restraints in trade as the Americans,

the noble lord in the blue riband shall tell you, that the restraints on trade are futile and useless ; of no advantage to us, and of no burthen to those on whom they are imposed ; that the trade to America is not secured by the acts of navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes ; when the scheme is dissected ; when experience and the nature of things are brought to prove, and 10 do prove, the utter impossibility of obtaining an effective revenue from the colonies ; when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission of the futility of the scheme ; then, Sir, the sleeping trade laws revive from their trance ; and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of trade.

Then, Sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is 20 the wisdom of our plan in both its members. They are separately given up as of no value ; and yet one is always to be defended for the sake of the other. But I cannot agree with the noble lord, nor with the pamphlet from whence he seems to have borrowed these ideas, concerning the inutility of the trade laws. For, without idolizing them, I am sure they are still, in many ways, of great use to us : and in former times they have been of the greatest. They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this does 30 not help me in the least to discern how the revenue laws form any security whatsoever to the commercial regulations ; or that these commercial regulations are the true ground of the quarrel ; or that the giving way, in any one instance of authority, is to lose all that may remain unconceded.

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One fact is clear and indisputable. The public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions; but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real, radical cause of quarrel, we have to see whether the commercial dispute did, in order of time, precede the dispute on taxation? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be
10 the real cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, Sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your con-
20 jectures? Surely it is preposterous at the very best. It is not justifying your anger, by their misconduct; but it is converting your ill-will into their delinquency.

But the colonies will go further.—Alas! alas! when will this speculating against fact and reason end?—What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true, that no case can exist, in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there anything peculiar in this case, to make a rule for itself? Is all
30 authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience; they did not, Sir, discourage me from enter-

taining the idea of a conciliatory concession, founded on the principles which I have just stated.

In forming a plan for this purpose, I endeavoured to put myself in that frame of mind which was the most natural, and the most reasonable ; and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities ; a total renunciation of every speculation of my own ; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an 10 empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say, that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them ; and the issue of their affairs showed, that they had not chosen the most 20 perfect standard. But, Sir, I am sure that I shall not be misled, when, in a case of constitutional difficulty, I consult the genius of the English constitution. Consulting at that oracle (it was with all due humility and piety) I found four capital examples in a similar case before me ; those of Ireland, Wales, Chester, and Durham.

Ireland, before the English conquest, though never governed by a despotic power, had no parliament. How far the English parliament itself was at that time modelled according to the present form, is disputed among anti-
quarians. But we have all the reason in the world to be 30
assured that a form of parliament, such as England then enjoyed, she instantly communicated to Ireland ; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage, and the feudal knight-
hood, the roots of our primitive constitution, were early

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transplanted into that soil ; and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority and English liberties had exactly the same boundaries. Your standard
10 could never be advanced an inch before your privileges. Sir John Davis shows beyond a doubt, that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing ; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered, that nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English constitution, that conquered Ireland. From that time, Ireland has ever had a
20 general parliament, as she had before a partial parliament. You changed the people ; you altered the religion ; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings ; you restored them ; you altered the succession to theirs, as well as to your own crown ; but you never altered their constitution ; the principle of which was respected by usurpation ; restored with the restoration of monarchy, and established, I trust, for ever, by the glorious Revolution. This has made Ireland the great and flourishing kingdom that it is ; and from a
30 disgrace and a burthen intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception

to prove the rule. None of your own liberties could stand a moment if the casual deviations from them, at such times, were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come; and learn to respect that only source of public wealth in the British 10 empire.

My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was destroyed; and no good one was substituted in its place. The care of that tract was put into the hands of lords marchers—a form of government of a very singular kind; a strange heterogeneous monster, something between hostility 20 and government; perhaps it has a sort of resemblance, according to the modes of those times, to that of commander-in-chief at present, to whom all civil power is granted as secondary. The manners of the Welsh nation followed the genius of the government; the people were ferocious, restive, savage, and uncultivated; sometimes composed, never pacified. Wales, within itself, was in perpetual disorder; and it kept the frontier of England in perpetual alarm. Benefits from it to the state there were none. Wales was only known to England by incursion and invasion. 30

Sir, during that state of things, parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by

statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained, that his trial should be always by English. They made acts to restrain trade, as you do; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign
 10 ports. In short, when the statute book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

Here we rub our hands—A fine body of precedents for the authority of parliament and the use of it!—I admit it fully; and pray add likewise to these precedents, that all the while, Wales rid this kingdom like an *incubus*; that it was an unprofitable and oppressive burthen; and that an Englishman travelling in that country could not go six yards from the high road without being murdered.

20 The march of the human mind is slow. Sir, it was not, until after two hundred years, discovered, that, by an eternal law, Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did however at length open their eyes to the ill husbandry of injustice. They found that the tyranny of a free people could of all tyrannies the least be endured; and that laws made against a whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of Henry VIII. the course was entirely altered. With a preamble stating the
 30 entire and perfect rights of the crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established; the military power gave way to the civil; the marches were turned into counties. But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties—the grant of their own property—seemed a thing

so incongruous, that, eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales, by act of parliament. From that moment, as by a charm, the tumults subsided, obedience was restored, peace, order, and civilization followed in the train of liberty.—When the day-star of the English constitution had arisen in their hearts, all was harmony within and without—

—*Simul alba nautis*

Stella refulsit,

10

Defluit saxis agitatus humor ;

Concidunt venti, fugiuntque nubes,

Et minax (quod sic voluere) ponto

Unda recumbit.

[*Soon as gleam*

Their stars at sea,

The lash'd spray trickles from the steep,

The wind sinks down, the storm-cloud flies,

The threatening billow on the deep

Obedient lies.]

20

The very same year the county palatine of Chester received the same relief from its oppressions, and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others ; and from thence Richard II. drew the standing army of archers, with which for a time he oppressed England. The people of Chester applied to parliament in a petition penned as I shall read to you :

“To the king our sovereign lord, in most humble wise 30
shown unto your excellent Majesty, the inhabitants of your
Grace's county palatine of Chester ; That where the said
county palatine of Chester is and hath been always hitherto
exempt, excluded and separated out and from your high

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court of parliament, to have any knights and burgesses within the said court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said country: (2.) And forasmuch as the said inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said Highness, and your most noble progenitors, by authority of the
10 said court, as far forth as other counties, cities, and boroughs have been, that have had their knights and burgesses within your said court of parliament, and yet have had neither knight ne burgess there for the said county palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with acts and statutes made within the said court, as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said county palatine, as prejudicial unto the commonwealth, quietness, rest, and peace of your Grace's most bounden subjects in-
20 habiting within the same."

What did parliament with this audacious address?—Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman? They took the petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress; and consecrated its principle to all ages in the
30 sanctuary of legislation.

Here is my third example. It was attended with the success of the two former. Chester, civilized as well as Wales, has demonstrated that freedom, and not servitude, is the cure of anarchy; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles II. with regard to the county

palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester act; and, without affecting the abstract extent of the authority of parliament, it recognises the equity of not suffering any considerable district, in which the British subjects may act as a body, to be taxed without their own voice in the grant.

Now if the doctrines of policy contained in these preambles, 10 and the force of these examples in the acts of parliament, avail anything, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? The preamble of the act of Henry VIII. says, the Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000; 20 not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America; was it less perfect in Wales, Chester, and Durham? But America is virtually represented. What! does the electric force of virtual representation more easily pass over the Atlantic, than pervade Wales, which lies in your neighbourhood; or than Chester and Durham, surrounded by abundance of representation that is actual 30 and palpable? But, Sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote?

You will now, Sir, perhaps imagine, that I am on the point of proposing to you a scheme for a representation of the colonies in parliament. Perhaps I might be inclined to entertain some such thought; but a great flood stops me in my course. *Opposuit natura* [*Nature has barred the way*].—I cannot remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As I meddle with no theory, I do not absolutely assert the impracticability of such a representation. But I do not see my
 10 way to it; and those who have been more confident have not been more successful. However, the arm of public benevolence is not shortened; and there are often several means to the same end. What nature has disjoined in one way, wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how? Where? What substitute?

Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am
 20 not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths; not to the Republic of Plato; not to the Utopia of More; not to the Oceana of Harrington. It is before me—it is at my feet, *and the rude swain treads daily on it with his clouted shoon*. I only wish you to recognise, for the theory, the ancient constitutional policy of this kingdom with regard to representation, as that policy has been declared in acts of parliament; and, as to the practice, to return to that mode which an uniform experience has marked out to you, as best; and in which you
 30 walked with security, advantage, and honour, until the year 1763.

My resolutions therefore mean to establish the equity and justice of a taxation of America, by *grant*, and not by *imposition*. To mark the *legal competency* of the colony assemblies for the support of their government in peace, and for public aids in time of war. To acknowledge that this legal com-

petency has had a *dutiful and beneficial exercise* ; and that experience has shown the *benefit of their grants*, and the *futility of parliamentary taxation as a method of supply*.

These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of 10 my existence, that, if you admitted these, you would command an immediate peace ; and, with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact ; and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine.

Sir, I shall open the whole plan to you, together with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a resolution 20 —“That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.”—This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution ; it is taken nearly *verbatim* from acts of parliament.

The second is like unto the first—“That the said colonies 30 and plantations have been liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by parliament, though the said colonies and plantations have not their knights and burgesses, in the said high court of parliament, of their own election, to represent the condition of their country ; by lack whereof they have been oftentimes

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touched and grieved by subsidies given, granted, and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same."

Is this description too hot, or too cold, too strong, or too weak? Does it arrogate too much to the supreme legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient acts of parliament.

10 *Non meus hic sermo, sed quæ præcepit Ofellus,
Rusticus, abnormis sapiens.*

[Ofellus shall set forth

(*'Twas he that taught me it, a shrewd clear wit,
Though country-spun, and for the schools unfit*):]

It is the genuine produce of the ancient, rustic, manly, home-bred sense of this country.—I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys, the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar
20 of peace. I would not violate with modern polish the ingenuous and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering: the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers, where I can neither wander nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written; I was resolved to use nothing else than the form of sound words; to let others abound in their own sense; and carefully to abstain from all expressions of my own. What
30 the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

There are indeed words expressive of grievance in this second resolution, which those who are resolved always to be in the right will deny to contain matter of fact, as applied to the present case; although parliament thought them true,

with regard to the counties of Chester and Durham. They will deny that the Americans were ever "touched and grieved" with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial. But men may be sorely touched and deeply grieved in their privileges, as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the two-pence lost that constitutes the capital outrage. This is not confined to 10 privileges. Even ancient indulgences withdrawn, without offence on the part of those who enjoyed such favours, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the sixth of George II. ? Else why were the duties first reduced to one third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the stamp 20 act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you (for the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and grieve them? Is not the resolution of the noble lord in the blue riband, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and 30 grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions?

The next proposition is—"That, from the distance of the said colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in parliament for the said colonies." This is an assertion of a fact.

I go no further on the paper ; though, in my private judgment, an useful representation is impossible ; I am sure it is not desired by them ; nor ought it perhaps by us ; but I abstain from opinions.

The fourth resolution is—"That each of the said colonies hath within itself a body, chosen in part, or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the General Assembly, or General Court ; with powers legally to raise, levy, and assess, according to
10 the several usage of such colonies, duties and taxes towards defraying all sorts of public services."

This competence in the colony assemblies is certain. It is proved by the whole tenor of their acts of supply in all the assemblies, in which the constant style of granting is, "an aid to his Majesty ;" and acts granting to the crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British parliament can grant to the crown, are wished to look to what is done, not
20 only in the colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the crown. I say, that if the crown could be responsible, his Majesty—but certainly the ministers, and even these law officers themselves, through whose hands the acts pass biennially in Ireland, or annually in the colonies, are in an habitual course of committing impeachable offences. What habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attornies and all solicitors
30 general ! However, they are safe ; as no one impeaches them ; and there is no ground of charge against them, except in their own unfounded theories.

The fifth resolution is also a resolution of fact—"That the said general assemblies, general courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his

Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal secretaries of state ; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by parliament." To say nothing of their great expenses in the Indian wars ; and not to take their exertion in foreign ones, so high as the supplies in the year 1695 ; not to go back to their public contributions in the year 1710 ; I shall begin to travel only where the journals give me light ; resolving to deal in 10 nothing but fact, authenticated by parliamentary record ; and to build myself wholly on that solid basis.

On the 4th of April, 1748, a committee of this House came to the following resolution :

"Resolved,

"That it is the opinion of this committee, *That it is just and reasonable* that the several provinces and colonies of Massachusetts Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expenses they have been at in taking and securing to the Crown of Great Britain the 20 island of Cape Breton and its dependencies."

These expenses were immense for such colonies. They were above £200,000 sterling ; money first raised and advanced on their public credit.

On the 28th of January, 1756, a message from the king came to us, to this effect :—"His Majesty, being sensible of the zeal and vigour with which his faithful subjects of certain colonies in North America have exerted themselves in defence of his Majesty's just rights and possessions, recommends it to this House to take the same into their con- 30 sideration, and to enable his Majesty to give them such assistance as may be a *proper reward and encouragement*."

On the 3rd of February, 1756, the House came to a suitable resolution, expressed in words nearly the same as those of the message : but with the further addition, that the

money then voted was as an *encouragement* to the colonies to exert themselves with vigour. It will not be necessary to go through all the testimonies which your own records have given to the truth of my resolutions, I will only refer you to the places in the journals :

Vol. xxvii.—16th and 19th May, 1757.

Vol. xxviii.—June 1st, 1758—April 26th and 30th, 1759
—March 26th and 31st, and April 28th, 1760
—Jan. 9th and 20th, 1761.

10 Vol. xxix.—Jan. 22nd and 26th, 1762—March 14th and 17th, 1763.

Sir, here is the repeated acknowledgment of parliament, that the colonies not only gave, but gave to satiety. This nation has formerly acknowledged two things ; first, that the colonies had gone beyond their abilities, parliament having thought it necessary to reimburse them ; secondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not
20 bestowed for acts that are unlawful ; and encouragement is not held out to things that deserve reprehension. My resolution therefore does nothing more than collect into one proposition, what is scattered through your journals. I give you nothing but your own ; and you cannot refuse in the gross, what you have so often acknowledged in detail. The admission of this, which will be so honourable to them and to you, will, indeed, be mortal to all the miserable stories, by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed,
30 from the beginning of these disputes, one thing continually dinning in their ears, that reason and justice demanded, that the Americans, who paid no taxes, should be compelled to contribute. How did that fact, of their paying nothing, stand, when the taxing system began ? When Mr. Grenville began to form his system of American revenue, he stated in

this House, that the colonies were then in debt two million six hundred thousand pounds sterling money ; and was of opinion they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine ; the reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too great to bear any addition, with prudence or propriety ; and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony, since that time, ever has had any requisition whatsoever made to it. 10

We see the sense of the crown, and the sense of parliament, on the productive nature of a *revenue by grant*. Now search the same journals for the produce of the *revenue by imposition*—Where is it ?—let us know the volume and the page—what is the gross, what is the net produce ?—to what service is it applied ?—how have you appropriated its surplus ?—What, can none of the many skilful index-makers that we are now employing, find any trace of it ?—Well, let them and that rest together.—But are the journals, which say nothing of the revenue, as silent on the discontent ?—Oh no ! a child may find it. It is the melancholy burthen and blot of every page. 20

I think then I am, from those journals, justified in the sixth and last resolution, which is—“ That it hath been found by experience, that the manner of granting the said supplies and aids, by the said general assemblies, hath been more agreeable to the said colonies, and more beneficial, and conducive to the public service, than the mode of giving and granting aids in parliament, to be raised and paid in the said colonies.” This makes the whole of the fundamental part 30

of the plan. The conclusion is irresistible. You cannot say, that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert, that you took on yourselves the task of imposing colony taxes, from the want of another legal body, that is competent to the purpose of supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified, and having that competence, had neglected the duty.

- 10 The question now, on all this accumulated matter, is ;—whether you will choose to abide by a profitable experience, or a mischievous theory ; whether you choose to build on imagination, or fact ; whether you prefer enjoyment, or hope ; satisfaction in your subjects, or discontent ?

If these propositions are accepted, everything which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner : “ That it may
 20 be proper to repeal an act, made in the seventh year of the reign of his present Majesty, intituled, An act for granting certain duties in the British colonies and plantations in America ; for allowing a drawback of the duties of customs upon the exportation from this kingdom, of coffee and cocoanuts of the produce of the said colonies or plantations ; for discontinuing the drawbacks payable on China earthenware exported to America ; and for more effectually preventing the clandestine running of goods in the said colonies and plantations.—And that it may be proper to repeal an act,
 30 made in the fourteenth year of the reign of his present Majesty, intituled, An act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping, of goods, wares, and merchandise, at the town and within the harbour of Boston, in the province of Massachusetts Bay, in North America.—And that it may be proper to repeal an act, made in the fourteenth

year of the reign of his present Majesty, intituled, An act for the impartial administration of justice, in the cases of persons questioned for any acts done by them, in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts Bay, in New England.—And that it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act for the better regulating the government of the province of Massachusetts Bay, in New England.—And, also, that it may be proper to explain and amend an act, made in the 10 thirty-fifth year of the reign of King Henry the Eighth, intituled, An act for the trial of treasons committed out of the king's dominions."

I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the king's pleasure) it was passed, as I apprehend, with less regularity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. 20 Even the restraining bill of the present session does not go to the length of the Boston Port Act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induced me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence and accommodation to circumstances, prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts colony, though the crown has far less power in the 30 two former provinces than it enjoyed in the latter; and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of Massachusetts Bay. Besides, Sir, the act which changes the charter of Massachusetts is in many

particulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it ; as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the governor to change the sheriff at his pleasure ; and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

The act for bringing persons accused of committing 10 murder under the orders of government to England for trial is but temporary. That act has calculated the probable duration of our quarrel with the colonies ; and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation ; and therefore must, on my principle, get rid of that most justly obnoxious act.

The act of Henry the Eighth, for the trial of treasons, I do not mean to take away, but to confine it to its proper bounds and original intention ; to make it expressly for trial of treasons (and the greatest treasons may be committed) in 20 places where the jurisdiction of the crown does not extend.

Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiassed judicature ; for which purpose, Sir, I propose the following resolution : "That, from the time when the general assembly or general court of any colony or plantation in North America, shall have appointed by act of assembly, duly confirmed, a settled salary to the offices of the chief justice and other judges of the superior court, it may be proper that the said chief justice and other judges of the superior courts of such colony, 30 shall hold his and their office and offices during their good behaviour ; and shall not be removed therefrom, but when the said removal shall be adjudged by his Majesty in council, upon a hearing on complaint from the general assembly, or on a complaint from the governor, or council, or the house of representatives severally, or of the colony in which the said chief justice and other judges have exercised the said offices."

The next resolution relates to the courts of admiralty.

It is this :—"That it may be proper to regulate the courts of admiralty, or vice-admiralty, authorized by the fifteenth chapter of the fourth of George the Third, in such a manner as to make the same more commodious to those who sue, or are sued, in the said courts, and to provide for the more decent maintenance of the judges in the same."

These courts I do not wish to take away ; they are in themselves proper establishments. This court is one of the capital securities of the act of navigation. The extent of 10 its jurisdiction, indeed, has been increased ; but this is altogether as proper, and is indeed on many accounts more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice ; and a court, partaking in the fruits of its own condemnation, is a robber. The congress complain, and complain justly, of this grievance.

These are the three consequential propositions. I have thought of two or three more ; but they come rather too near detail, and to the province of executive government ; 20 which I wish parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed will be, I hope, rather unseemly encumbrances on the building, than very materially detrimental to its strength and stability.

Here, Sir, I should close ; but I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be, that, in resorting to the doctrine of our ancestors, as contained in the preamble to the Chester act, 30 I prove too much ; that the grievance from a want of representation, stated in that preamble, goes to the whole of legislation as well as to taxation. And that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

To this objection, with all possible deference and humility

and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer, that *the words are the words of parliament, and not mine*; and, that all false and inconclusive inferences, drawn from them, are not mine; for I heartily disclaim any such inference. I have chosen the words of an act of parliament, which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of parliament, formerly moved to have read at your table in confirmation of his tenets. It is true, that Lord Chatham considered these preambles as declaring strongly in favour of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume, that these preambles are as favourable as possible to both, when properly understood; favourable both to the rights of parliament, and to the privilege of the dependencies of this crown? But, Sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham act, which confines the hardship of want of representation to the case of subsidies; and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were *de jure* [*in law*], or *de facto* [*in fact*], bound, the preambles do not accurately distinguish; nor indeed was it necessary; for, whether *de jure*, or *de facto*, the legislature thought the exercise of the power of taxing, as of right, or as of fact without right, equally a grievance, and equally oppressive.

I do not know that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of men, when they are composed and at rest, from their conduct, or their expressions, in a state of disturbance and irritation. It is besides a very great mistake to imagine, that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the

principles upon which we support any given part of our constitution ; or even the whole of it together. I could easily, if I had not already tired you, give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences ; we give and take ; we remit some rights that we may enjoy others ; and we choose rather to be happy citizens than subtle disputants. As we must give away 10 some natural liberty, to enjoy civil advantages ; so we must sacrifice some civil liberties, for the advantages to be derived from the communion and fellowship of a great empire. But, in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial importance of a great empire too dear, to pay for it all essential rights, and all the intrinsic dignity of human nature. None of us who would not risk his life rather than 20 fall under a government purely arbitrary. But although there are some amongst us who think our constitution wants many improvements, to make it a complete system of liberty ; perhaps none who are of that opinion would think it right to aim at such improvement, by disturbing his country, and risking everything that is dear to him. In every arduous enterprise, we consider what we are to lose as well as what we are to gain ; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*. 30 Man acts from adequate motives relative to his interest ; and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power, which is itself the security, not the rival, of their secondary importance. In this assurance, my mind most perfectly acquiesces: and I confess, I feel not the least alarm from the discontents which are to arise from putting people at their ease; nor do I apprehend
 10 the destruction of this empire, from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens some share of those rights, upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire; which was preserved entire, although Wales, and Chester, and Durham were added to it. Truly, Mr. Speaker, I do not know what this unity means; nor has it ever been heard of, that I know, in the constitutional policy of this country.
 20 The very idea of subordination of parts, excludes this notion of simple and undivided unity. England is the head; but she is not the head and the members too. Ireland has ever had from the beginning a separate, but not an independent, legislature; which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my
 30 model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire, than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods, I recollect, Mr.

Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned, whenever it is my misfortune to continue a difference with the majority of this House. But as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large, when the question was before the committee. 10

First, then, I cannot admit that proposition of a ransom by auction;—because it is a mere project. It is a thing new; unheard of; supported by no experience; justified by no analogy; without example of our ancestors, or root in the constitution.

It is neither regular parliamentary taxation, nor colony grant. *Experimentum in corpore vili* [*Try experiments only upon what is of no value*], is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects, the peace of this 20 empire.

Secondly, it is an experiment which must be fatal in the end to our constitution. For what is it but a scheme for taxing the colonies in the antechamber of the noble lord and his successors? To settle the quotas and proportions in this House, is clearly impossible. You, Sir, may flatter yourself you shall sit a state auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty govern- 30 ments, according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burthen, is a wild and chimerical notion. This new taxation must therefore come in by the back-door of the constitution. Each quota must be brought to this House ready formed; you can neither add nor alter. You must register it. You

can do nothing further. For on what grounds can you deliberate either before or after the proposition? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, must swallow up all the time of parliament.

Thirdly, it does not give satisfaction to the complaint of
 10 the colonies. They complain, that they are taxed without their consent; you answer, that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them indeed, that you will leave the mode to themselves. I really beg pardon: it gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For, suppose the colonies were to lay the duties, which furnished their contingent, upon the importation of your manufactures; you know you would never suffer such a tax to be laid. You
 20 know, too, that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it will be found, that you will neither leave to themselves the quantum nor the mode; nor indeed anything. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers
 30 of taxing the colonies at their discretion; consider, I implore you, that the communication by special messages, and orders between these agents and their constituents on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that never can have an end.

If all the colonies do not appear at the outcry, what is the condition of those assemblies, who offer by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies, who refuse all composition, will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburthened. What will you do? Will you lay new and heavier taxes by parliament on the disobedient? Pray consider in what way you can do it. You 10 are perfectly convinced, that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home, and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of some 20 other obedient and already well-taxed colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue, to lead you out of it? I think, Sir, it is impossible, that you should not recollect that the colony bounds are so implicated in one another, (you know it by your other experiments in the bill for prohibiting the New England fishery,) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, 30 and burthen those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America, who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

Let it also be considered, that, either in the present confusion you settle a permanent contingent, which will and must be trifling; and then you have no effectual revenue; or you change the quota at every exigency; and then on every new repartition you will have a new quarrel.

Reflect besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a treasury extent against the failing colony.

10 You must make new Boston Port Bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worst revenue and the worst army in

20 the world.

Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed the noble lord, who proposed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies, than for establishing a revenue. He confessed, he apprehended that his proposal would not be to *their taste*. I say, this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation

30 by an airy phantom which he never intended to realize. But whatever his views may be; as I propose the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

Compare the two. This I offer to give you is plain and simple. The other full of perplexed and intricate mazes.

This is mild ; that harsh. This is found by experience effectual for its purposes ; the other is a new project. This is universal ; the other calculated for certain colonies only. This is immediate in its conciliatory operation ; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people ; gratuitous, unconditional, and not held out as matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse ; but this is the misfortune of those to whose influence nothing will be conceded, and who must win 10 every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom ! For my part, I feel my mind greatly disburthened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to 20 my conscience.

But what (says the financier) is peace to us without money ? Your plan gives us no revenue. No ! But it does—For it secures to the subject the power of REFUSAL ; the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,750 : 11 : 2½ths, nor any other paltry limited sum.—But it gives the strong box itself, the fund, the 30 bank, from whence only revenues can arise amongst a people sensible of freedom : *Posita luditur arca*. [*The chest is staked.*] Cannot you in England ; cannot you at this time of day ; cannot you, a House of Commons, trust to the principle which has raised so mighty a revenue, and accumulated a debt of near 140 millions in this country ? Is this principle

to be true in England, and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you presume, that, in any country, a body duly constituted for any function, will neglect to perform its duty, and abdicate its trust? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply, from a free assembly, has no foundation in nature. For first observe, that, besides the desire which all men have naturally of supporting the
 10 honour of their own government, that sense of dignity, and that security to property, which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved, that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue, than could be squeezed from the dry husks of oppressed indigence, by the straining of all the politic machinery in the world.

20 Next we know, that parties must ever exist in a free country. We know too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the state. The parties are the gamesters; but government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted, than that government will not be supplied. Whereas, whatever is got by acts of absolute power ill obeyed, because
 30 odious, or by contracts ill kept, because constrained, will be narrow, feeble, uncertain, and precarious. "*Ease would retract vows made in pain, as violent and void.*"

I, for one, protest against compounding our demands: I declare against compounding for a poor limited sum, the immense, evergrowing, eternal debt, which is due to generous government from protected freedom. And so may I speed

in the great object I propose to you, as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom, or in the way of compulsory compact.

But to clear up my ideas on this subject—a revenue from America transmitted hither—do not delude yourselves—you never can receive it—No, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what you had taken in imposition ; 10 what can you expect from North America ? For certainly, if ever there was a country qualified to produce wealth, it is India ; or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects, on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects, which you tax at home, she has performed her part to the British revenue. But with regard to her own internal 20 establishments ; she may, I doubt not she will, contribute in moderation. I say in moderation ; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war ; the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British constitution. My hold of the colonies is in the close affection which grows from common names, from kindred blood, from 30 similar privileges, and equal protection. These are ties, which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government ;—they will cling and grapple to you ; and no force under heaven will be of power to tear them from their allegiance. But let it be once under-

stood, that your government may be one thing, and their privileges another ; that these two things may exist without any mutual relation ; the cement is gone ; the cohesion is loosened ; and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces towards you. The more they multiply, the 10 more friends you will have ; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But, until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation, which binds to you the commerce of the colonies, and through them secures to you the wealth of the world. Deny 20 them this participation of freedom, and you break that sole bond, which originally made, and must still preserve, the unity of the empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of the mysterious whole. These things do not make your government. Dead instruments, passive 30 tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member.

Is it not the same virtue which does everything for us here in England ? Do you imagine then, that it is the land

tax act which raises your revenue? that it is the annual vote in the committee of supply which gives you your army? or that it is the mutiny bill which inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians, who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles, which, in the opinion of such men as I have mentioned, have no substantial existence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our situation, and glow with zeal to fill our place as becomes our station and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church, *Sursum corda!* [*Lift up your hearts.*] We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire; and have made the most extensive, and the only honourable conquests, not by destroying, but by promoting the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now (*quod*

felix faustumque sit) [*and may it be lucky and fortunate*] lay the first stone of the temple of peace ; and I move you,

“That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.”

Upon this resolution, the previous question was put, and 10 carried ;—for the previous question 270, against it 78. The second, third, fourth, and thirteenth resolutions had also the previous question put on them. The others were negatived.

MR. BURKE'S PROPOSALS.

“That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament.”

20 “That the said colonies and plantations have been made liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by parliament ; though the said colonies and plantations have not their knights and burgesses, in the said high court of parliament, of their own election, to represent the condition of their country ; by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace, of the subjects inhabiting within the same.”

30 “That, from the distance of the said colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in parliament for the said colonies.”

“That each of the said colonies hath within itself a body, chosen, in part or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the general assembly, or general court ; with powers legally to raise, levy, and assess, according to the several usage of such colonies, duties and taxes towards defraying all sorts of public services.”

“That the said general assemblies, general courts, or other bodies, legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his 10 Majesty’s service, according to their abilities, when required thereto by letter from one of his Majesty’s principal secretaries of state ; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by parliament.”

“That it hath been found by experience, that the manner of granting the said supplies and aids, by the said general assemblies, hath been more agreeable to the inhabitants of the said colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids and 20 subsidies in parliament to be raised and paid in the said colonies.”

“That it may be proper to repeal an act, made in the seventh year of the reign of his present Majesty, intituled, An act for granting certain duties in the British colonies and plantations in America ; for allowing a drawback of the duties of customs, upon the exportation from this kingdom, of coffee and cocoa-nuts, of the produce of the said colonies or plantations ; for discontinuing the drawbacks payable on China earthenware exported to America ; and for more 30 effectually preventing the clandestine running of goods in the said colonies and plantations.”

“That it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act to discontinue, in such manner, and for such time, as are therein mentioned, the landing and discharging, lading

or shipping of goods, wares, and merchandise, at the town, and within the harbour, of Boston, in the province of Massachusetts Bay, in North America."

"That it may be proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act for the impartial administration of justice, in cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts Bay, in New England."

- 10 "That it is proper to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act for the better regulating the government of the province of Massachusetts Bay, in New England."

"That it is proper to explain and amend an act made in the thirty-fifth year of the reign of King Henry VIII., intituled, An act for the trial of treasons committed out of the king's dominions."

- "That, from the time when the general assembly, or general court, of any colony or plantation, in North America, shall have appointed, by act of assembly duly confirmed, a settled salary to the offices of the chief justice and judges of the superior courts, it may be proper that the said chief justice and other judges of the superior courts of such colony shall hold his and their office and offices during their good behaviour; and shall not be removed therefrom, but when the said removal shall be adjudged by his Majesty in council, upon a hearing on complaint from the general assembly, or on a complaint from the governor, or council, or the house of representatives, severally, of the colony in which the said chief justice and other judges have exercised the said office."

"That it may be proper to regulate the courts of admiralty, or vice-admiralty, authorized by the fifteenth chapter of the fourth of George III., in such a manner, as to make the same more commodious to those who sue, or are sued, in the said courts; and to provide for the more decent maintenance of the judges of the same."

A LETTER TO
JOHN FARR AND JOHN HARRIS, ESQRS.,
SHERIFFS OF THE CITY OF BRISTOL,
ON THE AFFAIRS OF AMERICA.

1777.

GENTLEMEN,—I have the honour of sending you the two last acts which have been passed with regard to the troubles in America. These acts are similar to all the rest which have been made on the same subject. They operate by the same principle; and they are derived from the very same policy. I think they complete the number of this sort of statutes to nine. It affords no matter for very pleasing reflection to observe that our subjects diminish as our laws increase.

If I have the misfortune of differing with some of my fellow-citizens on this great and arduous subject, it is no small consolation to me that I do not differ from you. With you I am perfectly united. We are heartily agreed in our detestation of a civil war. We have ever expressed the most unqualified disapprobation of all the steps which have led to it, and of all those which tend to prolong it. And I have no doubt that we feel exactly the same emotions of grief and shame in all its miserable consequences; whether they appear, on the one side or the other, in the shape of victories or defeats, of captures made from the English on the continent, or from the English in these islands; of legislative 20

regulations which subvert the liberties of our brethren, or which undermine our own.

Of the first of these statutes (that for the letter of marque) I shall say little. Exceptionable as it may be, and as I think it is in some particulars, it seems the natural, perhaps necessary, result of the measures we have taken, and the situation we are in. The other (for a partial suspension of the *Habeas Corpus*) appears to me of a much deeper malignity. During its progress through the House of Commons, 10 it has been amended, so as to express, more distinctly than at first it did, the avowed sentiments of those who framed it: and the main ground of my exception to it is, because it does express, and does carry into execution, purposes which appear to me so contradictory to all the principles, not only of the constitutional policy of Great Britain, but even of that species of hostile justice, which no asperity of war wholly extinguishes in the minds of a civilized people. •

It seems to have in view two capital objects ; the first, to enable administration to confine, as long as it shall think 20 proper, those whom that act is pleased to qualify by the name of *pirates*. Those so qualified I understand to be the commanders and mariners of such privateers and ships of war belonging to the colonies, as in the course of this unhappy contest may fall into the hands of the crown. They are therefore to be detained in prison, under the criminal description of piracy, to a future trial and ignominious punishment, whenever circumstances shall make it convenient to execute vengeance on them, under the colour of that odious and infamous offence.

30 To this first purpose of the law I have no small dislike ; because the act does not (as all laws and all equitable transactions ought to do) fairly describe its object. The persons who make a naval war upon us, in consequence of the present troubles, may be rebels ; but to call and treat them as pirates, is confounding, not only the natural distinction of things, but the order of crimes : which, whether by putting

them from a higher part of the scale to the lower, or from the lower to the higher, is never done without dangerously disordering the whole frame of jurisprudence. Though piracy may be, in the eye of the law, a *less* offence than treason; yet as both are, in effect, punished with the same death, the same forfeiture, and the same corruption of blood, I never would take from any fellow-creature whatever any sort of advantage which he may derive to his safety from the pity of mankind, or to his reputation from their general feelings, by degrading his offence, when I cannot soften his 10 punishment. The general sense of mankind tells me, that those offences, which may possibly arise from mistaken virtue, are not in the class of infamous actions. Lord Coke, the oracle of the English law, conforms to that general sense where he says, that "those things which are of the highest criminality may be of the least disgrace." The act prepares a sort of masked proceeding, not honourable to the justice of the kingdom, and by no means necessary for its safety. I cannot enter into it. If Lord Balmerino, in the last rebellion, had driven off the cattle of twenty clans, I should 20 have thought it would have been a scandalous and low juggle, utterly unworthy of the manliness of an English judicature, to have tried him for felony as a stealer of cows.

Besides, I must honestly tell you, that I could not vote for, or countenance in any way, a statute, which stigmatizes with the crime of piracy these men, whom an act of parliament had previously put out of the protection of the law. When the legislature of this kingdom had ordered all their ships and goods, for the mere new-created offence of exercising trade, to be divided as a spoil among the seamen of the 30 navy,—to consider the necessary reprisal of an unhappy, proscribed, interdicted people, as the crime of piracy, would have appeared, in any other legislature than ours, a strain of the most insulting and most unnatural cruelty and injustice. I assure you I never remember to have heard of anything like it in any time or country.

The second professed purpose of the act is, to detain in England for trial those who shall commit high treason in America.

That you may be enabled to enter into the true spirit of the present law, it is necessary, gentlemen, to apprise you, that there is an act, made so long ago as in the reign of Henry the Eighth, before the existence or thought of any English colonies in America, for the trial in this kingdom of treasons committed out of the realm. In the year 1769, parliament thought proper to acquaint the crown with their construction of that act in a formal address, wherein they entreated his Majesty to cause persons, charged with high treason in America, to be brought into this kingdom for trial. By this act of Henry the Eighth, *so construed and so applied*, almost all that is substantial and beneficial in a trial by jury is taken away from the subject in the colonies. This is however saying too little ; for to try a man under that act is, in effect, to condemn him unheard. A person is brought hither in the dungeon of a ship's hold ; thence he is vomited
 10
 20 into a dungeon on land ; loaded with irons, unfurnished with money, unsupported by friends, three thousand miles from all means of calling upon or confronting evidence, where no one local circumstance that tends to detect perjury, can possibly be judged of ;—such a person may be executed according to form, but he can never be tried according to justice.

I therefore could never reconcile myself to the bill I send you ; which is expressly provided to remove all inconveniences from the establishment of a mode of trial, which has ever
 30 appeared to me most unjust and most unconstitutional. Far from removing the difficulties which impede the execution of so mischievous a project, I would heap new difficulties upon it, if it were in my power. All the ancient, honest, juridical principles and institutions of England are so many clogs to check and retard the headlong course of violence and oppression. They were invented for this one good purpose, that

what was not just should not be convenient. Convinced of this, I would leave things as I found them. The old, cool-headed, general law, is as good as any deviation dictated by present heat.

I could see no fair, justifiable expedience pleaded to favour this new suspension of the liberty of the subject. If the English in the colonies can support the independency, to which they have been unfortunately driven, I suppose nobody has such a fanatical zeal for the criminal justice of Henry the Eighth, that he will contend for executions which 10 must be retaliated tenfold on his own friends; or who has conceived so strange an idea of English dignity, as to think the defeats in America compensated by the triumphs at Tyburn. If, on the contrary, the colonies are reduced to the obedience of the crown, there must be, under that authority, tribunals in the country itself, fully competent to administer justice on all offenders. But if there are not, and that we must suppose a thing so humiliating to our government, as that all this vast continent should unanimously 20 concur in thinking, that no ill fortune can convert resistance to the royal authority into a criminal act, we may call the effect of our victory peace, or obedience, or what we will; but the war is not ended; the hostile mind continues in full vigour, and it continues under a worse form. If your peace be nothing more than a sullen pause from arms; if their quiet be nothing but the meditation of revenge, where smitten pride smarting from its wounds festers into new rancour; neither the act of Henry the Eighth, nor its handmaid of this reign, will answer any wise end of policy or justice. For if the bloody fields, which they saw and felt, are not sufficient 30 to subdue the reason of America, (to use the expressive phrase of a great lord in office,) it is not the judicial slaughter, which is made in another hemisphere against their universal sense of justice, that will ever reconcile them to the British government.

I take it for granted, gentlemen, that we sympathize in a

proper horror of all punishment further than as it serves for an example. To whom then does the example of an execution in England for this American rebellion apply? Remember, you are told every day, that the present is a contest between the two countries; and that we in England are at war for *our own* dignity against our rebellious children. Is this true? If it be, it is surely among such rebellious children that examples for disobedience should be made, to be in any degree instructive: for who ever thought of teaching parents
 10 their duty by an example from the punishment of an undutiful son? As well might the execution of a fugitive negro in the plantations be considered as a lesson to teach masters humanity to their slaves. Such executions may indeed satiate our revenge; they may harden our hearts, and puff us up with pride and arrogance. Alas! this is not instruction!

If anything can be drawn from such examples by a parity of the case, it is to show how deep their crime and how heavy their punishment will be, who shall at any time dare to resist a distant power actually disposing of their property,
 20 without their voice or consent to the disposition; and overturning their franchises without charge or hearing. God forbid that England should ever read this lesson written in the blood of *any* of her offspring!

War is at present carried on between the king's natural and foreign troops on one side, and the English in America on the other, upon the usual footing of other wars; and accordingly an exchange of prisoners has been regularly made from the beginning. If notwithstanding this hitherto equal procedure, upon some prospect of ending the war with suc-
 30 cess, (which however may be delusive,) administration prepares to act against those as *traitors* who remain in their hands at the end of the troubles, in my opinion we shall exhibit to the world as indecent a piece of injustice as ever civil fury has produced. If the prisoners, who have been exchanged, have not by that exchange been *virtually pardoned*, the cartel (whether avowed or understood) is a cruel

fraud ; for you have received the life of a man, and you ought to return a life for it, or there is no parity of fairness in the transaction.

If, on the other hand, we admit, that they who are actually exchanged are pardoned, but contend that you may justly reserve for vengeance those who remain unexchanged ; then this unpleasant and unhandsome consequence will follow ; that you judge of the delinquency of men merely by the time of their guilt, and not by the heinousness of it ; and you make fortune and accidents, and not the moral qualities 10 of human action, the rule of your justice.

These strange incongruities must ever perplex those who confound the unhappiness of civil dissensions with the crime of treason. Whenever a rebellion really and truly exists, which is as easily known in fact as it is difficult to define in words, government has not entered into such military conventions ; but has ever declined all intermediate treaty, which should put rebels in possession of the law of nations with regard to war. Commanders would receive no benefits at their hands, because they could make no return for them. 20 Who has ever heard of capitulation, and parole of honour, and exchange of prisoners, in the late rebellions in this kingdom ? The answer to all demands of that sort was, " We can engage for nothing ; you are at the king's pleasure." We ought to remember, that if our present enemies be, in reality and truth, rebels, the king's generals have no right to release them upon any conditions whatsoever ; and they are themselves answerable to the law, and as much in want of a pardon for doing so, as the rebels whom they release.

Lawyers, I know, cannot make the distinction for which I 30 contend ; because they have their strict rule to go by. But legislators ought to do what lawyers cannot ; for they have no other rules to bind them, but the great principles of reason and equity, and the general sense of mankind. These they are bound to obey and follow ; and rather to enlarge and enlighten law by the liberality of legislative reason, than to

fetter and bind their higher capacity by the narrow constructions of subordinate, artificial justice. If we had adverted to this, we never could consider the convulsions of a great empire, not disturbed by a little disseminated faction, but divided by whole communities and provinces, and entire legal representatives of a people, as fit matter of discussion under a commission of Oyer and Terminer. It is as opposite to reason and prudence, as it is to humanity and justice.

This act, proceeding on these principles, that is, preparing
10 to end the present troubles by a trial of one sort of hostility under the name of piracy, and of another by the name of treason, and executing the act of Henry the Eighth according to a new and unconstitutional interpretation, I have thought evil and dangerous, even though the instruments of effecting such purposes had been merely of a neutral quality.

But it really appears to me, that the means which this act employs are, at least, as exceptionable as the end. Permit me to open myself a little upon this subject, because it is of importance to me, when I am obliged to submit to the power
20 without acquiescing in the reason of an act of legislature, that I should justify my dissent by such arguments as may be supposed to have weight with a sober man.

The main operative regulation of the act is to suspend the common law, and the statute *Habeas Corpus*, (the sole securities either for liberty or justice,) with regard to all those who have been out of the realm, or on the high seas, within a given time. The rest of the people, as I understand, are to continue as they stood before.

I confess, gentlemen, that this appears to me as bad in the
30 principle, and far worse in its consequence, than an universal suspension of the *Habeas Corpus* act; and the limiting qualification, instead of taking out the sting, does in my humble opinion sharpen and envenom it to a greater degree. Liberty, if I understand it at all, is a *general* principle, and the clear right of all the subjects within the realm, or of none. Partial freedom seems to me a most invidious mode of slavery. But,

unfortunately, it is the kind of slavery the most easily admitted in times of civil discord; for parties are but too apt to forget their own future safety in their desire of sacrificing their enemies. People without much difficulty admit the entrance of that injustice of which they are not to be the immediate victims. In times of high proceeding it is never the faction of the predominant power that is in danger: for no tyranny chastises its own instruments. It is the obnoxious and the suspected who want the protection of law; and there is nothing to bridle the partial violence of state factions, 10 but this; "that whenever an act is made for a cessation of law and justice, the whole people should be universally subjected to the same suspension of their franchises." The alarm of such a proceeding would then be universal. It would operate as a sort of *Call of the nation*. It would become every man's immediate and instant concern to be made very sensible of *the absolute necessity* of this total eclipse of liberty. They would more carefully advert to every renewal, and more powerfully resist it. These great determined measures are not commonly so dangerous to freedom. They 20 are marked with too strong lines to slide into use. No plea, nor pretence, of *inconvenience or evil example* (which must in their nature be daily and ordinary incidents) can be admitted as a reason for such mighty operations. But the true danger is, when liberty is nibbled away, for expedients, and by parts. The *Habeas Corpus* act supposes, contrary to the genius of most other laws, that the lawful magistrate may see particular men with a malignant eye, and it provides for that identical case. But when men, in particular descriptions, marked out by the magistrate himself, are delivered 30 over by parliament to this possible malignity, it is not the *Habeas Corpus* that is occasionally suspended, but its spirit that is mistaken, and its principle that is subverted. Indeed nothing is security to any individual but the common interest of all.

This act, therefore, has this distinguished evil in it, that it

is the first *partial* suspension of the *Habeas Corpus* that has been made. The precedent, which is always of very great importance, is now established. For the first time a distinction is made among the people within this realm. Before this act, every man putting his foot on English ground, every stranger owing only a local and temporary allegiance, even negro slaves who had been sold in the colonies and under an act of parliament, became as free as every other man who breathed the same air with them. Now a line is drawn,
 10 which may be advanced farther and farther at pleasure, on the same argument of mere expedience, on which it was first described. There is no equality among us ; we are not fellow-citizens, if the mariner, who lands on the quay, does not rest on as firm legal ground as the merchant who sits in his counting-house. Other laws may injure the community, this dissolves it. As things now stand, every man in the West Indies, every one inhabitant of three unoffending provinces on the continent, every person coming from the East Indies, every gentleman who has travelled for his health or
 20 education, every mariner who has navigated the seas, is, for no other offence, under a temporary proscription. Let any of these facts (now become presumptions of guilt) be proved against him, and the bare suspicion of the crown puts him out of the law. It is even by no means clear to me, whether the negative proof does not lie upon the person apprehended on suspicion, to the subversion of all justice.

I have not debated against this bill in its progress through the House ; because it would have been vain to oppose, and impossible to correct it. It is some time since I have been
 30 clearly convinced, that in the present state of things all opposition to any measures proposed by ministers, where the name of America appears, is vain and frivolous. You may be sure that I do not speak of my opposition, which in all circumstances must be so ; but that of men of the greatest wisdom and authority in the nation. Everything proposed against America is supposed of course to be in favour of

Great Britain. Good and ill success are equally admitted as reasons for persevering in the present methods. Several very prudent, and very well-intentioned, persons were of opinion, that during the prevalence of such dispositions, all struggle rather inflamed than lessened the distemper of the public councils. Finding such resistance to be considered as factious by most within-doors, and by very many without, I cannot conscientiously support what is against my opinion, nor prudently contend with what I know is irresistible. Preserving my principles unshaken, I reserve my activity 10 for rational endeavours ; and I hope that my past conduct has given sufficient evidence that if I am a single day from my place, it is not owing to indolence or love of dissipation. The slightest hope of doing good is sufficient to recall me to what I quitted with regret. In declining for some time my usual strict attendance, I do not in the least condemn the spirit of those gentlemen, who, with a just confidence in their abilities, (in which I claim a sort of share from my love and admiration of them,) were of opinion that their exertions in this desperate case might be of some service. They 20 thought, that by contracting the sphere of its application, they might lessen the malignity of an evil principle. Perhaps they were in the right. But when my opinion was so very clearly to the contrary, for the reasons I have just stated, I am sure *my* attendance would have been ridiculous.

I must add in further explanation of my conduct, that, far from softening the features of such a principle, and thereby removing any part of the popular odium or natural terrors attending it, I should be sorry that anything framed in contradiction to the spirit of our constitution did not instantly 30 produce, in fact, the grossest of the evils with which it was pregnant in its nature. It is by lying dormant a long time, or being at first very rarely exercised, that arbitrary power steals upon a people. On the next unconstitutional act, all the fashionable world will be ready to say—Your prophecies are ridiculous, your fears are vain, you see how little of the

mischiefs which you formerly foreboded are come to pass. Thus, by degrees, that artful softening of all arbitrary power, the alleged infrequency or narrow extent of its operation, will be received as a sort of aphorism—and Mr. *Hume* will not be singular in telling us that the felicity of mankind is no more disturbed by it, than by earthquakes or thunder, or the other more unusual accidents of nature.

The act of which I speak is among the fruits of the American war; a war in my humble opinion productive of 10 many mischiefs, of a kind which distinguish it from all others. Not only our policy is deranged, and our empire distracted, but our laws and our legislative spirit appear to have been totally perverted by it. We have made war on our colonies, not by arms only, but by laws. As hostility and law are not very concordant ideas, every step we have taken in this business has been made by trampling on some maxim of justice, or some capital principle of wise government. What precedents were established, and what principles overturned, (I will not say of English privilege, but of general justice,) 20 in the Boston Port, the Massachusetts Charter, the Military Bill, and all that long array of hostile acts of parliament, by which the war with America has been begun and supported! Had the principles of any of these acts been first exerted on English ground, they would probably have expired as soon as they touched it. But by being removed from our persons, they have rooted in our laws, and the latest posterity will taste the fruits of them.

Nor is it the worst effect of this unnatural contention, that our *laws* are corrupted. Whilst *manners* remain entire, 30 they will correct the vices of law, and soften it at length to their own temper. But we have to lament, that in most of the late proceedings we see very few traces of that generosity, humanity, and dignity of mind, which formerly characterized this nation. War suspends the rules of moral obligation, and what is long suspended is in danger of being totally abrogated. Civil wars strike deepest of all into the manners of the people.

They vitiate their politics ; they corrupt their morals ; they pervert even the natural taste and relish of equity and justice. By teaching us to consider our fellow-citizens in a hostile light, the whole body of our nation becomes gradually less dear to us. The very names of affection and kindred, which were the bond of charity whilst we agreed, become new incentives to hatred and rage, when the communion of our country is dissolved. We may flatter ourselves that we shall not fall into this misfortune. But we have no charter of exemption, that I know of, from the ordinary frailties of 10 our nature.

What but that blindness of heart which arises from the phrensy of civil contention, could have made any persons conceive the present situation of the British affairs as an object of triumph to themselves, or of congratulation to their sovereign ? Nothing surely could be more lamentable to those who remember the flourishing days of this kingdom, than to see the insane joy of several unhappy people, amidst the sad spectacle which our affairs and conduct exhibit to the scorn of Europe. We behold (and it seems some people 20 rejoice in beholding) our native land, which used to sit the envied arbiter of all her neighbours, reduced to a servile dependence on their mercy ; acquiescing in assurances of friendship which she does not trust ; complaining of hostilities which she dares not resent ; deficient to her allies ; lofty to her subjects, and submissive to her enemies ; whilst the liberal government of this free nation is supported by the hireling sword of German boors and vassals ; and three millions of the subjects of Great Britain are seeking for protection to English privileges in the arms of France ! 30

These circumstances appear to me more like shocking prodigies, than natural changes in human affairs. Men of firmer minds may see them without staggering or astonishment.—Some may think them matters of congratulation and complimentary addresses ; but I trust your candour will be so indulgent to my weakness, as not to have the worse opinion

of me for my declining to participate in this joy, and my rejecting all share whatsoever in such a triumph. I am too old, too stiff in my inveterate partialities, to be ready at all the fashionable evolutions of opinion. I scarcely know how to adapt my mind to the feelings with which the court gazettes mean to impress the people. It is not instantly that I can be brought to rejoice, when I hear of the slaughter and captivity of long lists of those names which have been familiar to my ears from my infancy, and to rejoice that they
 10 have fallen under the sword of strangers, whose barbarous appellations I scarcely know how to pronounce. The glory acquired at the White Plains by Colonel Raille has no charms for me; and I fairly acknowledge, that I have not yet learned to delight in finding Fort Kniphausen in the heart of the British dominions.

It might be some consolation for the loss of our old regards, if our reason were enlightened in proportion as our honest prejudices are removed. Wanting feelings for the honour of our country, we might then in cold blood be
 20 brought to think a little of our interests as individual citizens, and our private conscience as moral agents.

Indeed our affairs are in a bad condition. I do assure those gentlemen who have prayed for war, and have obtained the blessing they have sought, that they are at this instant in very great straits. The abused wealth of this country continues a little longer to feed its distemper. As yet they, and their German allies of twenty hireling states, have contended only with the unprepared strength of our own infant colonies. But America is not subdued. Not one
 30 unattacked village which was originally adverse throughout that vast continent, has yet submitted from love or terror. You have the ground you encamp on; and you have no more. The cantonments of your troops and your dominions are exactly of the same extent. You spread devastation, but you do not enlarge the sphere of authority.

The events of this war are of so much greater magnitude

than those who either wished or feared it ever looked for, that this alone ought to fill every considerate mind with anxiety and diffidence. Wise men often tremble at the very things which fill the thoughtless with security. For many reasons I do not choose to expose to public view all the particulars of the state in which you stood with regard to foreign powers, during the whole course of the last year. Whether you are yet wholly out of danger from them, is more than I know, or than your rulers can divine. But even if I were certain of my safety, I could not easily forgive 10 those who had brought me into the most dreadful perils, because by accidents, unforeseen by them or me, I have escaped.

Believe me, gentlemen, the way still before you is intricate, dark, and full of perplexed and treacherous mazes. Those who think they have the clue may lead us out of this labyrinth. We may trust them as amply as we think proper; but as they have most certainly a call for all the reason which their stock can furnish, why should we think it proper to disturb its operation by inflaming their passions? I may 20 be unable to lend an helping hand to those who direct the state; but I should be ashamed to make myself one of a noisy multitude to halloo and hearten them into doubtful and dangerous courses. A conscientious man would be cautious how he dealt in blood. He would feel some apprehension at being called to a tremendous account for engaging in so deep a play, without any sort of knowledge of the game. It is no excuse for presumptuous ignorance, that it is directed by insolent passion. The poorest being that crawls on earth, contending to save itself from injustice and 30 oppression, is an object respectable in the eyes of God and man. But I cannot conceive any existence under heaven, (which, in the depths of its wisdom, tolerates all sorts of things,) that is more truly odious and disgusting, than an impotent, helpless creature, without civil wisdom or military skill, without a consciousness of any other qualification for

power but his servility to it, bloated with pride and arrogance, calling for battles which he is not to fight, contending for a violent dominion which he can never exercise, and satisfied to be himself mean and miserable, in order to render others contemptible and wretched.

If you and I find our talents not of the great and ruling kind, our conduct, at least, is conformable to our faculties. No man's life pays the forfeit of our rashness. No desolate widow weeps tears of blood over our ignorance. Scrupulous
 10 and sober in our well-grounded distrust of ourselves, we would keep in the port of peace and security; and perhaps in recommending to others something of the same diffidence, we should show ourselves more charitable in their welfare, than injurious to their abilities.

There are many circumstances in the zeal shown for civil war, which seem to discover but little of real magnanimity. The addressers offer their own persons, and they are satisfied with hiring Germans. They promise their private fortunes, and they mortgage their country. They have all the merit
 20 of volunteers, without risk of person or charge of contribution; and when the unfeeling arm of a foreign soldiery pours out their kindred blood like water, they exult and triumph as if they themselves had performed some notable exploit. I am really ashamed of the fashionable language which has been held for some time past; which, to say the best of it, is full of levity. You know that I allude to the general cry against the cowardice of the Americans, as if we despised them for not making the king's soldiery purchase the advantage they have obtained at a dearer rate. It is not,
 30 gentlemen, it is not to respect the dispensations of Providence, nor to provide any decent retreat in the mutability of human affairs. It leaves no medium between insolent victory and infamous defeat. It tends to alienate our minds farther and farther from our natural regards, and to make an eternal rent and schism in the British nation. Those who do not wish for such a separation, would not dissolve that cement

of reciprocal esteem and regard, which can alone bind together the parts of this great fabric. It ought to be our wish, as it is our duty, not only to forbear this style of outrage ourselves, but to make every one as sensible as we can of the impropriety and unworthiness of the temper which gives rise to it, and which designing men are labouring with such malignant industry to diffuse amongst us. It is our business to counteract them, if possible; if possible, to awake our natural regards; and to revive the old partiality to the English name. Without something of this kind I do not see 10 how it is ever practicable really to reconcile with those, whose affection, after all, must be the surest hold of our government; and which is a thousand times more worth to us, than the mercenary zeal of all the circles of Germany.

I can well conceive a country completely overrun, and miserably wasted, without approaching in the least to settlement. In my apprehension, as long as English government is attempted to be supported over Englishmen by the sword alone, things will thus continue. I anticipate in my mind the moment of the final triumph of foreign military force. 20 When that hour arrives, (for it may arrive,) then it is, that all this mass of weakness and violence will appear in its full light. If we should be expelled from America, the delusion of the partisans of military government might still continue. They might still feed their imaginations with the possible good consequences which might have attended success. Nobody could prove the contrary by facts. But in case the sword should do all that the sword can do, the success of their arms and the defeat of their policy will be one and the same thing. You will never see any revenue from America. 30 Some increase of the means of corruption, without ease of the public burthens, is the very best that can happen. Is it for this that we are at war; and in such a war?

As to the difficulties of laying once more the foundations of that government, which, for the sake of conquering what was our own, has been voluntarily and wantonly pulled down

by a court faction here, I tremble to look at them. Has any of these gentlemen, who are so eager to govern all mankind, showed himself possessed of the first qualification towards government, some knowledge of the object, and of the difficulties which occur in the task they have undertaken?

I assure you, that, on the most prosperous issue of your arms, you will not be where you stood, when you called in war to supply the defects of your political establishment. 10 Nor would any disorder or disobedience to government which could arise from the most abject concession on our part, ever equal those which will be felt, after the most triumphant violence. You have got all the intermediate evils of war into the bargain.

I think I know America. If I do not, my ignorance is incurable, for I have spared no pains to understand it: and I do most solemnly assure those of my constituents who put any sort of confidence in my industry and integrity, that every thing that has been done there has arisen from a total 20 misconception of the object; that our means of originally holding America, that our means of reconciling with it after quarrel, of recovering it after separation, of keeping it after victory, did depend, and must depend in their several stages and periods, upon a total renunciation of that unconditional submission, which has taken such possession of the minds of violent men. The whole of those maxims, upon which we have made and continued this war, must be abandoned. Nothing indeed (for I would not deceive you) can place us in our former situation. That hope must be laid aside. 30 But there is a difference between bad and the worst of all. Terms relative to the cause of the war ought to be offered by the authority of parliament. An arrangement at home promising some security for them ought to be made. By doing this, without the least impairing of our strength, we add to the credit of our moderation, which, in itself, is always strength more or less.

I know many have been taught to think, that moderation, in a case like this, is a sort of treason ; and that all arguments for it are sufficiently answered by railing at rebels and rebellion, and by charging all the present or future miseries, which we may suffer, on the resistance of our brethren. But I would wish them, in this grave matter, and if peace is not wholly removed from their hearts, to consider seriously, first, that to criminate and recriminate never yet was the road to reconciliation, in any difference amongst men. In the next place, it would be right to reflect, that 10 the American English (whom they may abuse, if they think it honourable to revile the absent) can, as things now stand, neither be provoked at our railing, nor bettered by our instruction. All communication is cut off between us, but this we know with certainty, that, though we cannot reclaim them, we may reform ourselves. If measures of peace are necessary, they must begin somewhere ; and a conciliatory temper must precede and prepare every plan of reconciliation. Nor do I conceive that we suffer anything by thus regulating our own minds. We are not disarmed by being 20 disencumbered of our passions. Declaiming on rebellion never added a bayonet, or a charge of powder, to your military force ; but I am afraid that it has been the means of taking up many muskets against you.

This outrageous language, which has been encouraged and kept alive by every art, has already done incredible mischief. For a long time, even amidst the desolations of war, and the insults of hostile laws daily accumulated on one another, the American leaders seem to have had the greatest difficulty in bringing up their people to a declaration of total independ- 30 ence. But the court gazette accomplished what the abettors of independence had attempted in vain. When that disingenuous compilation, and strange medley of railing and flattery, was adduced as a proof of the united sentiments of the people of Great Britain, there was a great change throughout all America. The tide of popular affection, which

had still set towards the parent country, began immediately to turn, and to flow with great rapidity in a contrary course. Far from concealing these wild declarations of enmity, the author of the celebrated pamphlet, which prepared the minds of the people for independence, insists largely on the multitude and the spirit of these addresses; and he draws an argument from them, which (if the fact was as he supposes) must be irresistible. For I never knew a writer on the theory of government so partial to authority as not to allow, 10 that the hostile mind of the rulers to their people did fully justify a change of government; nor can any reason whatever be given, why one people should voluntarily yield any degree of pre-eminence to another, but on a supposition of great affection and benevolence towards them. Unfortunately your rulers, trusting to other things, took no notice of this great principle of connexion. From the beginning of this affair, they have done all they could to alienate your minds from your own kindred; and if they could excite hatred enough in one of the parties towards the other, they 20 seemed to be of opinion that they had gone half the way towards reconciling the quarrel.

I know it is said, that your kindness is only alienated on account of their resistance; and therefore if the colonies surrender at discretion, all sort of regard, and even much indulgence, is meant towards them in future. But can those who are partisans for continuing a war to enforce such a surrender be responsible (after all that has passed) for such a future use of a power, that is bound by no compacts, and restrained by no terror? Will they tell us what they 30 call indulgences? Do they not at this instant call the present war, and all its horrors, a lenient and merciful proceeding?

No conqueror, that I ever heard of, has *professed* to make a cruel, harsh, and insolent use of his conquest. No! The man of the most declared pride scarcely dares to trust his own heart with this dreadful secret of ambition. But it

will appear in its time ; and no man, who professes to reduce another to the insolent mercy of a foreign arm, ever had any sort of good-will towards him. The profession of kindness, with that sword in his hand, and that demand of surrender, is one of the most provoking acts of his hostility. I shall be told, that all this is lenient as against rebellious adversaries. But are the leaders of their faction more lenient to those who submit? Lord Howe and General Howe have powers, under an act of parliament, to restore to the king's peace and to free trade any men, or district, which shall submit. 10 Is this done? We have been over and over informed by the authorized gazette, that the city of New York, and the countries of Staten and Long Island, have submitted voluntarily and cheerfully, and that many are very full of zeal to the cause of administration. Were they instantly restored to trade? Are they yet restored to it? Is not the benignity of two commissioners, naturally most humane and generous men, some way fettered by instructions, equally against their dispositions and spirit of parliamentary faith ; when Mr. Tryon, vaunting of the fidelity of the city in which he is 20 governor, is obliged to apply to ministry for leave to protect the king's loyal subjects, and to grant to them (not the disputed rights and privileges of freedom) but the common rights of men, by the name of *graces*? Why do not the commissioners restore them on the spot? Were they not named as commissioners for that express purpose? But we see well enough to what the whole leads. The trade of America is to be dealt out in *private indulgences and graces* ; that is, in jobs to recompense the incendiaries of war. They will be informed of the proper time in which to send out their 30 merchandise. From a national, the American trade is to be turned into a personal monopoly : and one set of merchants are to be rewarded for the pretended zeal, of which another set are the dupes ; and thus, between craft and credulity, the voice of reason is stifled ; and all the misconduct, all the calamities of the war are covered and continued.

- If I had not lived long enough to be little surprised at anything, I should have been in some degree astonished at the continued rage of several gentlemen, who, not satisfied with carrying fire and sword into America, are animated nearly with the same fury against those neighbours of theirs, whose only crime it is, that they have charitably and humanely wished them to entertain more reasonable sentiments, and not always to sacrifice their interest to their passion. All this rage against unresisting dissent
- 10 convinces me, that, at bottom, they are far from satisfied they are in the right. For what is it they would have? A war? They certainly have at this moment the blessing of something that is very like one; and if the war they enjoy at present be not sufficiently hot and extensive, they may shortly have it as warm and as spreading as their hearts can desire. Is it the force of the kingdom they call for? They have it already; and if they choose to fight their battles in their own person, nobody prevents their setting sail to America in the next transports. Do they think, that the
- 20 service is stinted for want of liberal supplies? Indeed they complain without reason. The table of the House of Commons will glut them, let their appetite for expense be never so keen. And I assure them further, that those who think with them in the House of Commons are full as easy in the control, as they are liberal in the vote, of these expenses. If this be not supply or confidence sufficient, let them open their own private purse-strings, and give, from what is left to them, as largely and with as little care as they think proper.
- 30 Tolerated in their passions, let them learn not to persecute the moderation of their fellow-citizens. If all the world joined them in a full cry against rebellion, and were as hotly inflamed against the whole theory and enjoyment of freedom, as those who are the most factious for servitude, it could not in my opinion answer any one end whatsoever in this contest. The leaders of this war could not hire (to

gratify their friends) one German more than they do ; or inspire him with less feeling for the persons, or less value for the privileges, of their revolted brethren. If we all adopted their sentiments to a man, their allies, the savage Indians, could not be more ferocious than they are : they could not murder one more helpless woman or child, or with more exquisite refinements of cruelty torment to death one more of their English flesh and blood, than they do already. The public money is given to purchase this alliance ;—and they have their bargain.

10

They are continually boasting of unanimity ; or calling for it. But before this unanimity can be matter either of wish or congratulation, we ought to be pretty sure that we are engaged in a rational pursuit. Phrensy does not become a slighter distemper on account of the number of those who may be infected with it. Delusion and weakness produce not one mischief the less, because they are universal. I declare, that I cannot discern the least advantage which could accrue to us, if we were able to persuade our colonies that they had not a single friend in Great Britain. On the 20 contrary, if the affections and opinions of mankind be not exploded as principles of connexion, I conceive it would be happy for us if they were taught to believe, that there was even a formed American party in England, to whom they could always look for support ! Happy would it be for us, if, in all tempers, they might turn their eyes to the parent state ; so that their very turbulence and sedition should find vent in no other place than this. I believe there is not a man (except those who prefer the interest of some paltry faction to the very being of their country) who would not 30 wish that the Americans should from time to time carry many points, and even some of them not quite reasonable, by the aid of any denomination of men here, rather than they should be driven to seek for protection against the fury of foreign mercenaries, and the waste of savages, in the arms of France.

When any community is subordinately connected with another, the great danger of the connexion is the extreme pride and self-complacency of the superior, which in all matters of controversy will probably decide in its own favour. It is a powerful corrective to such a very rational cause of fear, if the inferior body can be made to believe, that the party inclination, or political views, of several in the principal state, will induce them in some degree to counteract this blind and tyrannical partiality. There is no danger
 10 that any one acquiring consideration or power in the presiding state should carry this leaning to the inferior too far. The fault of human nature is not of that sort. Power, in whatever hands, is rarely guilty of too strict limitations on itself. But one great advantage to the support of authority attends such an amicable and protecting connexion, that those who have conferred favours obtain influence; and from the foresight of future events can persuade men, who have received obligations, sometimes to return them. Thus by the mediation of those healing principles, (call them good
 20 or evil,) troublesome discussions are brought to some sort of adjustment; and every hot controversy is not a civil war.

But, if the colonies (to bring the general matter home to us) could see, that, in Great Britain, the mass of the people is melted into its government, and that every dispute with the ministry must of necessity be always a quarrel with the nation; they can stand no longer in the equal and friendly relation of fellow-citizens to the subjects of this kingdom. Humble as this relation may appear to some, when it is once broken, a strong tie is dissolved. Other sorts of connexions
 30 will be sought. For, there are very few in the world, who will not prefer a useful ally to an insolent master.

Such discord has been the effect of the unanimity into which so many have of late been seduced or bullied, or into the appearance of which they have sunk through mere despair. They have been told that their dissent from violent measures is an encouragement to rebellion. Men of

great presumption and little knowledge will hold a language which is contradicted by the whole course of history. *General* rebellions and revolts of a whole people never were *encouraged*, now or at any time. They are always *provoked*. But if this unheard-of doctrine of the encouragement of rebellion were true, if it were true that an assurance of the friendship of numbers in this country towards the colonies could become an encouragement to them to break off all connexion with it, what is the inference? Does anybody seriously maintain, that, charged with my share of the 10 public councils, I am obliged not to resist projects which I think mischievous, lest men who suffer should be encouraged to resist? The very tendency of such projects to produce rebellion is one of the chief reasons against them. Shall that reason not be given? Is it then a rule, that no man in this nation shall open his mouth in favour of the colonies, shall defend their rights, or complain of their sufferings? Or when war finally breaks out, no man shall express his desire of peace? Has this been the law of our 20 past, or is it to be the terms of our future connexion? Even looking no farther than ourselves, can it be true loyalty to any government, or true patriotism towards any country, to degrade their solemn councils into servile drawing-rooms, to flatter their pride and passions, rather than to enlighten their reason, and to prevent them from being cautioned against violence lest others should be encouraged to resistance? By such acquiescence great kings and mighty nations have been undone; and if any are at this day in a perilous situation from resisting truth, and listening to flattery, it would rather become them to reform the errors under which 30 they suffer, than to reproach those who forewarned them of their danger.

But the rebels looked for assistance from this country. They did so, in the beginning of this controversy, most certainly; and they sought it by earnest supplications to government, which dignity rejected, and by a suspension of

commerce, which the wealth of this nation enabled you to despise. When they found that neither prayers nor menaces had any sort of weight, but that a firm resolution was taken to reduce them to unconditional obedience by a military force, they came to the last extremity. Despairing of us, they trusted in themselves. Not strong enough themselves, they sought succour in France. In proportion as all encouragement here lessened, their distance from this country increased. The encouragement is over; the alienation is
10 complete.

In order to produce this favourite unanimity in delusion, and to prevent all possibility of a return to our ancient happy concord, arguments for our continuance in this course are drawn from the wretched situation itself into which we have been betrayed. It is said, that being at war with the colonies, whatever our sentiments might have been before, all ties between us are now dissolved; and all the policy we have left is to strengthen the hands of government to reduce them. On the principle of this argument, the more mischiefs
20 we suffer from any administration, the more our trust in it is to be confirmed. Let them but once get us into a war, and then their power is safe, and an act of oblivion passed for all their misconduct.

But is it really true, that government is always to be strengthened with the instruments of war, but never furnished with the means of peace? In former times, ministers, I allow, have been sometimes driven by the popular voice to assert by arms the national honour against foreign powers. But the wisdom of the nation has been far more clear, when
30 those ministers have been compelled to consult its interests by treaty. We all know that the sense of the nation obliged the court of King Charles the Second to abandon the *Dutch war*; a war next to the present the most impolitic which we ever carried on. The good people of England considered Holland as a sort of dependency on this kingdom; they dreaded to drive it to the protection, or subject it to the

power of France, by their own inconsiderate hostility. They paid but little respect to the court jargon of that day ; nor were they inflamed by the pretended rivalship of the Dutch in trade ; by their massacre at Amboyna, acted on the stage to provoke the public vengeance ; nor by declamations against the ingratitude of the United Provinces for the benefits England had conferred upon them in their infant state. They were not moved from their evident interest by all these arts ; nor was it enough to tell them, they were at war ; that they must go through with it ; and that the cause of the 10 dispute was lost in the consequences. The people of England were then, as they are now, called upon to make government strong. They thought it a great deal better to make it wise and honest.

When I was amongst my constituents at the last summer assizes, I remember that men of all descriptions did then express a very strong desire for peace, and no slight hopes of attaining it from the commission sent out by my Lord Howe. And it is not a little remarkable, that, in proportion as every person showed a zeal for the court measures, he 20 was then earnest in circulating an opinion of the extent of the supposed powers of that commission. When I told them that Lord Howe had no powers to treat, or to promise satisfaction on any point whatsoever of the controversy, I was hardly credited ; so strong and general was the desire of terminating this war by the method of accommodation. As far as I could discover, this was the temper then prevalent through the kingdom. The king's forces, it must be observed, had at that time been obliged to evacuate Boston. The superiority of the former campaign rested wholly with the 30 colonists. If such powers of treaty were to be wished, whilst success was very doubtful, how came they to be less so, since his Majesty's arms have been crowned with many considerable advantages ? Have these successes induced us to alter our mind ; as thinking the season of victory not the time for treating with honour or advantage ? Whatever changes have

happened in the national character, it can scarcely be our wish, that terms of accommodation never should be proposed to our enemy, except when they must be attributed solely to our fears. It has happened, let me say unfortunately, that we read of his Majesty's commission for making peace, and his troops evacuating his last town in the thirteen colonies, at the same hour and in the same gazette. It was still more unfortunate, that no commission went to America to settle the troubles there, until several months after an act had been
 10 passed to put the colonies out of the protection of this government, and to divide their trading property, without a possibility of restitution, as spoil among the seamen of the navy. The most abject submission on the part of the colonies could not redeem them. There was no man on that whole continent, or within three thousand miles of it, qualified by law to follow allegiance with protection, or submission with pardon. A proceeding of this kind has no example in history. Independency, and independency with an enmity, (which putting ourselves out of the question, would be called natural
 20 and much provoked,) was the inevitable consequence. How this came to pass, the nation may be one day in an humour to inquire.

All the attempts made this session to give fuller powers of peace to the commanders in America, were stifled by the fatal confidence of victory, and the wild hopes of unconditional submission. There was a moment favourable to the king's arms, when if any powers of concession had existed on the other side of the Atlantic, even after all our errors, peace in all probability might have been restored. But calamity is
 30 unhappily the usual season of reflection; and the pride of men will not often suffer reason to have any scope until it can be no longer of service.

I have always wished, that as the dispute had its apparent origin from things done in parliament, and as the acts passed there had provoked the war, that the foundations of peace should be laid in parliament also. I have been astonished to

find, that those, whose zeal for the dignity of our body was so hot as to light up the flames of civil war, should even publicly declare, that these delicate points ought to be wholly left to the crown. Poorly as I may be thought affected to the authority of parliament, I shall never admit that our constitutional rights can ever become a matter of ministerial negotiation.

I am charged with being an American. If warm affection towards those over whom I claim any share of authority be a crime, I am guilty of this charge. But I do assure you, 10 (and they who know me publicly and privately will bear witness to me), that if ever one man lived more zealous than another for the supremacy of parliament, and the rights of this imperial crown, it was myself. Many others indeed might be more knowing in the extent of the foundation of these rights. I do not pretend to be an antiquary, a lawyer, or qualified for the chair of professor in metaphysics. I never ventured to put your solid interests upon speculative grounds. My having constantly declined to do so has been attributed to my incapacity for such disquisitions; and I am inclined to 20 believe it is partly the cause. I never shall be ashamed to confess, that where I am ignorant I am diffident. I am indeed not very solicitous to clear myself of this imputed incapacity; because men, even less conversant than I am in this kind of subtleties, and placed in stations to which I ought not to aspire, have, by the mere force of civil discretion, often conducted the affairs of great nations with distinguished felicity and glory.

When I first came into a public trust, I found your parliament in possession of an unlimited legislative power over the 30 colonies. I could not open the statute book without seeing the actual exercise of it, more or less, in all cases whatsoever. This possession passed with me for a title. It does so in all human affairs. No man examines into the defects of his title to his paternal estate, or to his established government. Indeed common sense taught me, that a legislative authority,

not actually limited by the express terms of its foundation, or by its own subsequent acts, cannot have its powers parcelled out by argumentative distinctions, so as to enable us to say, that here they can, and there they cannot, bind. Nobody was so obliging as to produce to me any record of such distinctions, by compact or otherwise, either at the successive formation of the several colonies, or during the existence of any of them. If any gentlemen were able to see how one power could be given up (merely on abstract reasoning) 10 without giving up the rest, I can only say, that they saw farther than I could; nor did I ever presume to condemn any one for being clear-sighted, when I was blind. I praise the penetration and learning; and hope that their practice has been correspondent to their theory.

I had indeed very earnest wishes to keep the whole body of this authority perfect and entire as I found it: and to keep it so, not for our advantage solely; but principally for the sake of those, on whose account all just authority exists; I mean the people to be governed. For I thought I saw, that 20 many cases might well happen, in which the exercise of every power comprehended in the broadest idea of legislature, might become, in its time and circumstances, not a little expedient for the peace and union of the colonies amongst themselves, as well as for their perfect harmony with Great Britain. Thinking so, (perhaps erroneously,) but being honestly of that opinion, I was at the same time very sure, that the authority, of which I was so jealous, could not under the actual circumstances of our plantations be at all preserved in any of its members, but by the greatest reserve in its ap- 30 plication; particularly in those delicate points, in which the feelings of mankind are the most irritable. They who thought otherwise, have found a few more difficulties in their work than (I hope) they were thoroughly aware of, when they undertook the present business. I must beg leave to observe, that it is not only the invidious branch of taxation that will be resisted, but that no other given part of legislative rights

can be exercised, without regard to the general opinion of those who are to be governed. That general opinion is the vehicle and organ of legislative omnipotence. Without this, it may be a theory to entertain the mind, but it is nothing in the direction of affairs. The completeness of the legislative authority of parliament *over this kingdom* is not questioned; and yet many things indubitably included in the abstract idea of that power, and which carry no absolute injustice in themselves, yet being contrary to the opinions and feelings of the people, can as little be exercised, as if parliament in that 10 case had been possessed of no right at all. I see no abstract reason, which can be given, why the same power, which made and repealed the high-commission court and the star-chamber, might not revive them again; and these courts, warned by their former fate, might possibly exercise their powers with some degree of justice. But the madness would be as unquestionable, as the competence of that parliament which should attempt such things. If anything can be supposed out of the power of human legislature, it is religion: I admit, however, that the established religion of this country has 20 been three or four times altered by act of parliament; and therefore that a statute binds even in that case. But we may very safely affirm, that, notwithstanding this apparent omnipotence, it would be now found as impossible for king and parliament to alter the established religion of this country, as it was to King James alone, when he attempted to make such an alteration without a parliament. In effect, to follow, not to force the public inclination; to give a direction, a form, a technical dress, and a specific sanction, to the general sense of the community, is the true end of 30 legislature.

It is so with regard to the exercise of all the powers which our constitution knows in any of its parts, and indeed to the substantial existence of any of the parts themselves. The king's negative to bills is one of the most undisputed of the royal prerogatives; and it extends to all cases whatsoever.

I am far from certain, that if several laws which I know had fallen under the stroke of that sceptre, that the public would have had a very heavy loss. But it is not the *propriety* of the exercise which is in question. The exercise itself is wisely forborne. Its repose may be the preservation of its existence ; and its existence may be the means of saving the constitution itself, on an occasion worthy of bringing it forth. As the disputants, whose accurate and logical reasonings have brought us into our present condition, think it absurd,

10 that powers or members of any constitution should exist, rarely or never to be exercised, I hope I shall be excused in mentioning another instance, that is material. We know, that the convocation of the clergy had formerly been called, and sat with nearly as much regularity to business as parliament itself. It is now called for form only. It sits for the purpose of making some polite ecclesiastical compliments to the king ; and, when that grace is said, retires and is heard of no more. It is however *a part of the constitution*, and may be called out into act and energy, whenever there is occasion ;

20 and whenever those, who conjure up that spirit, will choose to abide the consequences. It is wise to permit its legal existence ; it is much wiser to continue it a legal existence only. So truly has prudence (constituted as the god of this lower world) the entire dominion over every exercise of power committed into its hands ; and yet I have lived to see prudence and conformity to circumstances wholly set at nought in our late controversies, and treated as if they were the most contemptible and irrational of all things. I have heard it a hundred times very gravely alleged, that in order

30 to keep power in wind, it was necessary, by preference, to exert it in those very points in which it was most likely to be resisted, and the least likely to be productive of any advantage.

These were the considerations, gentlemen, which led me early to think, that, in the comprehensive dominion which the Divine Providence had put into our hands, instead of

troubling our understandings with speculations concerning the unity of empire, and the identity or distinction of legislative powers, and inflaming our passions with the heat and pride of controversy, it was our duty, in all soberness, to conform our government to the character and circumstances of the several people who composed this mighty and strangely diversified mass. I never was wild enough to conceive, that one method would serve for the whole ; that the natives of Hindostan and those of Virginia could be ordered in the same manner ; or that the Cutchery court and the grand jury of Salem could be regulated on a similar plan. I was persuaded that government was a practical thing, made for the happiness of mankind, and not to furnish out a spectacle of uniformity, to gratify the schemes of visionary politicians. Our business was to rule, not to wrangle ; and it would have been a poor compensation that we had triumphed in a dispute, whilst we lost an empire.

If there be one fact in the world perfectly clear it is this : "That the disposition of the people of America 'is wholly averse to any other than a free government ;" and this is 20 indication enough to any honest statesman, how he ought to adapt whatever power he finds in his hands to their case. If any ask me what a free government is, I answer, that, for any practical purpose, it is what the people think so , and that they, and not I, are the natural, lawful, and competent judges of this matter. If they practically allow me a greater degree of authority over them than is consistent with any correct ideas of perfect freedom, I ought to thank them for so great a trust, and not to endeavour to prove from thence, that they have reasoned amiss, and that having gone so far, 30 by analogy, they must hereafter have no enjoyment but by my pleasure.

If we had seen this done by any others, we should have concluded them far gone in madness. It is melancholy as well as ridiculous, to observe the kind of reasoning with which the public has been amused, in order to divert our

minds from the common sense of our American policy. There are people, who have split and anatomised the doctrine of free government, as if it were an abstract question concerning metaphysical liberty and necessity ; and not a matter of moral prudence and natural feeling. They have disputed, whether liberty be a positive or a negative idea ; whether it does not consist in being governed by laws, without considering what are the laws, or who are the makers ; whether man has any rights by nature ; and whether all the property he enjoys be not the alms of his government, and his life itself their favour and indulgence. Others, corrupting religion, as these have perverted philosophy, contend, that Christians are redeemed into captivity ; and the blood of the Saviour of mankind has been shed to make them the slaves of a few proud and insolent sinners. These shocking extremes provoking to extremes of another kind, speculations are let loose as destructive to all authority, as the former are to all freedom ; and every government is called tyranny and usurpation which is not formed on their fancies. In this manner the stirrers-up of this contention, not satisfied with distracting our dependencies and filling them with blood and slaughter, are corrupting our understandings : they are endeavouring to tear up, along with practical liberty, all the foundations of human society, all equity and justice, religion and order.

Civil freedom, gentlemen, is not, as many have endeavoured to persuade you, a thing that lies hid in the depth of abstruse science. It is a blessing and a benefit, not an abstract speculation ; and all the just reasoning that can be upon it is of so coarse a texture, as perfectly to suit the ordinary capacities of those who are to enjoy, and of those who are to defend it. Far from any resemblance to those propositions in geometry and metaphysics, which admit no medium, but must be true or false in all their latitude ; social and civil freedom, like all other things in common life, are variously mixed and modified, enjoyed in very different

degrees, and shaped into an infinite diversity of forms, according to the temper and circumstances of every community. The *extreme* of liberty (which is its abstract perfection, but its real fault) obtains nowhere, nor ought to obtain anywhere. Because extremes, as we all know, in every point which relates either to our duties or satisfactions in life, are destructive both to virtue and enjoyment. Liberty too must be limited in order to be possessed. The degree of restraint it is impossible in any case to settle precisely. But it ought to be the constant aim of every wise public 10 council, to find out by cautious experiments, and rational, cool endeavours, with how little, not how much, of this restraint, the community can subsist. For liberty is a good to be improved, and not an evil to be lessened. It is not only a private blessing of the first order, but the vital spring and energy of the state itself, which has just so much life and vigour as there is liberty in it. But whether liberty be advantageous or not, (for I know it is a fashion to decry the very principle,) none will dispute that peace is a blessing; and peace must in the course of human affairs be frequently 20 bought by some indulgence and toleration at least to liberty. For as the sabbath (though of Divine institution) was made for man, not man for the sabbath, government, which can claim no higher origin or authority, in its exercise at least ought to conform to the exigencies of the time, and the temper and character of the people, with whom it is concerned; and not always to attempt violently to bend the people to their theories of subjection. The bulk of mankind on their part are not excessively curious concerning any theories, whilst they are really happy; and one sure symptom of an 30 ill-conducted state is the propensity of the people to resort to them.

But when subjects, by a long course of such ill conduct, are once thoroughly inflamed, and the state itself violently distempered, the people must have some satisfaction to their feelings more solid than a sophistical speculation on law and

government. Such was our situation; and such a satisfaction was necessary to prevent recourse to arms; it was necessary towards laying them down; it will be necessary to prevent the taking them up again and again. Of what nature this satisfaction ought to be, I wish it had been the disposition of parliament seriously to consider. It was certainly a deliberation that called for the exertion of all their wisdom.

- I am, and ever have been, deeply sensible of the difficulty of reconciling the strong presiding power, that is so useful
 10 towards the conservation of a vast, disconnected, infinitely diversified empire, with that liberty and safety of the provinces, which they must enjoy, (in opinion and practice at least,) or they will not be provinces at all. I know, and have long felt, the difficulty of reconciling the unwieldy haughtiness of a great ruling nation, habituated to command, pampered by enormous wealth, and confident from a long course of prosperity and victory, to the high spirit of free dependencies, animated with the first glow and activity
 20 right, some part of that very pride which oppresses them. They who perceive no difficulty in reconciling these tempers, (which however to make peace must some way or other be reconciled,) are much above my capacity, or much below the magnitude of the business. Of one thing I am perfectly clear, that it is not by deciding the suit, but by compromising the difference, that peace can be restored or kept. They who would put an end to such quarrels, by declaring roundly in favour of the whole demands of either party, have mistaken, in my humble opinion, the office of a mediator.
- 30 The war is now of full two years' standing, the controversy, of many more. In different periods of the dispute different methods of reconciliation were to be pursued. I mean to trouble you with a short state of things at the most important of these periods, in order to give you a more distinct idea of our policy with regard to this most delicate of all objects. The colonies were from the beginning subject

to the legislature of Great Britain, on principles which they never examined; and we permitted to them many local privileges, without asking how they agreed with that legislative authority. Modes of administration were formed in an insensible and very unsystematic manner. But they gradually adapted themselves to the varying condition of things.—What was first a single kingdom, stretched into an empire; and an imperial superintendency, of some kind or other, became necessary. Parliament, from a mere representative of the people, and a guardian of popular privileges for 10 its own immediate constituents, grew into a mighty sovereign. Instead of being a control on the crown on its own behalf, it communicated a sort of strength to the royal authority; which was wanted for the conservation of a new object, but which could not be safely trusted to the crown alone. On the other hand, the colonies, advancing by equal steps, and governed by the same necessity, had formed within themselves, either by royal instruction or royal charter, assemblies so exceedingly resembling a parliament, in all their forms, functions, and powers, that it was impossible they should 20 not imbibe some opinion of a similar authority.

At the first designation of these assemblies, they were probably not intended for anything more, (nor perhaps did they think themselves much higher,) than the municipal corporations within this island, to which some at present love to compare them. But nothing in progression can rest on its original plan. We may as well think of rocking a grown man in the cradle of an infant. Therefore as the colonies prospered and increased to a numerous and mighty people, spreading over a very great tract of the globe; it was natural 30 that they should attribute to assemblies, so respectable in their formal constitution, some part of the dignity of the great nations which they represented. No longer tied to by-laws, these assemblies made acts of all sorts and in all cases whatsoever. They levied money, not for parochial purposes, but upon regular grants to the crown, following all the rules

and principles of a parliament to which they approached every day more and more nearly. Those who think themselves wiser than Providence, and stronger than the course of nature, may complain of all this variation, on the one side or the other, as their several humours and prejudices may lead them. But things could not be otherwise; and English colonies must be had on these terms, or not had at all. In the mean time, neither party felt any inconvenience from this double legislature, to which they had been formed by
 10 imperceptible habits, and old custom, the great support of all the governments in the world. Though these two legislatures were sometimes found perhaps performing the very same functions, they did not very grossly or systematically clash. In all likelihood this arose from mere neglect; possibly from the natural operation of things, which, left to themselves, generally fall into their proper order. But whatever was the cause, it is certain that a regular revenue, by the authority of parliament, for the support of civil and military establishments, seems not to have been thought of
 20 until the colonies were too proud to submit, too strong to be forced, too enlightened not to see all the consequences which must arise from such a system.

If ever this scheme of taxation was to be pushed against the inclinations of the people, it was evident that discussions must arise, which would let loose all the elements that composed this double constitution; would show how much each of their members had departed from its original principles; and would discover contradictions in each legislature, as well to its own first principles as to its relation to the other,
 30 very difficult, if not absolutely impossible, to be reconciled.

Therefore at the first fatal opening of this contest, the wisest course seemed to be to put an end as soon as possible to the immediate causes of the dispute; and to quiet a discussion, not easily settled upon clear principles, and arising from claims, which pride would permit neither party to abandon, by resorting as nearly as possible to the old,

successful course. A mere repeal of the obnoxious tax, with a declaration of the legislative authority of this kingdom, was then fully sufficient to procure peace to *both sides*. Man is a creature of habit, and, the first breach being of very short continuance, the colonies fell back exactly into their ancient state. The congress has used an expression with regard to this pacification, which appears to me truly significant. After the repeal of the stamp act, "the colonies fell," says this assembly, "into their ancient state of *unsuspecting confidence in the mother country*." This unsuspecting confidence 10 is the true centre of gravity amongst mankind, about which all the parts are at rest. It is this *unsuspecting confidence* that removes all difficulties, and reconciles all the contradictions which occur in the complexity of all ancient, puzzled, political establishments. Happy are the rulers which have the secret of preserving it!

The whole empire has reason to remember, with eternal gratitude, the wisdom and temper of that man and his excellent associates, who, to recover this confidence, formed a plan of pacification in 1766. That plan, being built upon the 20 nature of man, and the circumstances and habits of the two countries, and not on any visionary speculations, perfectly answered its end, as long as it was thought proper to adhere to it. Without giving a rude shock to the dignity (well or ill understood) of this parliament, they gave perfect content to our dependencies. Had it not been for the mediatorial spirit and talents of that great man, between such clashing pretensions and passions, we should then have rushed headlong (I know what I say), into the calamities of that civil war, in which, by departing from his system, we are at length 30 involved; and we should have been precipitated into that war, at a time when circumstances both at home and abroad were far, very far, more unfavourable unto us than they were at the breaking out of the present troubles.

I had the happiness of giving my first votes in parliament for their pacification. I was one of those almost unanimous

members, who, in the necessary concessions of parliament, would as much as possible have preserved its authority, and respected its honour. I could not at once tear from my heart prejudices that were dear to me, and which bore a resemblance to virtue. I had then, and I have still, my partialities. What parliament gave up, I wished to be given as of grace, and favour, and affection, and not as a restitution of stolen goods. High dignity relented as it was soothed; and a benignity from old acknowledged greatness had its full
 10 effect on our dependencies. Our unlimited declaration of legislative authority produced not a single murmur. If this undefined power has become odious since that time, and full of horror to the colonies, it is because the *unsuspicious confidence* is lost, and the parental affection, in the bosom of whose boundless authority they reposed their privileges, is become estranged and hostile.

It will be asked, if such was then my opinion of the mode of pacification, how I came to be the very person who moved, not only for a repeal of all the late coercive statutes, but for
 20 mutilating, by a positive law, the entireness of the legislative power of parliament, and cutting off from it the whole right of taxation? I answer, because a different state of things requires a different conduct. When the dispute had gone to these last extremities, (which no man laboured more to prevent than I did,) the concessions which had satisfied in the beginning, could satisfy no longer; because the violation of tacit faith required explicit security. The same cause which has introduced all formal compacts and covenants among
 30 men made it necessary. I mean habits of soreness, jealousy, and distrust. I parted with it, as with a limb; but as a limb to save the body; and I would have parted with more, if more had been necessary; anything rather than a fruitless, hopeless, unnatural civil war. This mode of yielding would, it is said, give way to independency, without a war. I am persuaded from the nature of things, and from every information, that it would have had a directly contrary effect.

But if it had this effect, I confess that I should prefer independency without war, to independency with it ; and I have so much trust in the inclinations and prejudices of mankind, and so little in anything else, that I should expect ten times more benefit to this kingdom from the affection of America, though under a separate establishment, than from her perfect submission to the crown and parliament, accompanied with her terror, disgust, and abhorrence. Bodies tied together by so unnatural a bond of union as mutual hatred, are only connected to their ruin.

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One hundred and ten respectable members of parliament voted for that concession. Many not present, when the motion was made, were of the sentiments of those who voted. I knew it would then have made peace. I am not without hopes that it would do so at present if it were adopted. No benefit, no revenue, could be lost by it; something might possibly be gained by its consequences. For be fully assured, that, of all the phantoms that ever deluded the fond hopes of a credulous world, a parliamentary revenue in the colonies is the most perfectly chimerical. Your breaking 20 them to any subjection, far from relieving your burthens, (the pretext for this war,) will never pay that military force which will be kept up to the destruction of their liberties and yours. I risk nothing in this prophecy.

Gentlemen, you have my opinion on the present state of public affairs. Mean as they may be in themselves, your partiality has made them of some importance. Without troubling myself to inquire whether I am under a formal obligation to it, I have a pleasure in accounting for my conduct to my constituents. I feel warmly on this subject, and 30 I express myself as I feel. If I presume to blame any public proceeding, I cannot be supposed to be personal. Would to God I could be suspected of it. My fault might be greater, but the public calamity would be less extensive. If my conduct has not been able to make any impression on the warm part of that ancient and powerful party, with

whose support I was not honoured at my election ; on my side, my respect, regard, and duty to them is not at all lessened. I owe the gentlemen who compose it my most humble service in everything. I hope that whenever any of them were pleased to command me, that they found me perfectly equal in my obedience. But flattery and friendship are very different things ; and to mislead is not to serve them. I cannot purchase the favour of any man by concealing from him what I think his ruin. By the favour of
 10 my fellow-citizens, I am the representative of an honest, well-ordered, virtuous city ; of a people, who preserve more of the original English simplicity, and purity of manners, than perhaps any other. You possess among you several men and magistrates of large and cultivated understandings ; fit for any employment in any sphere. I do, to the best of my power, act so as to make myself worthy of so honourable a choice. If I were ready, on any call of my own vanity or interest, or to answer any election purpose, to forsake principles, (whatever they are,) which I had formed at a mature
 20 age, on full reflection, and which had been confirmed by long experience, I should forfeit the only thing which makes you pardon so many errors and imperfections in me. Not that I think it fit for any one to rely too much on his own understanding ; or to be filled with a presumption, not becoming a Christian man, in his own personal stability and rectitude.

I hope I am far from that vain confidence, which almost always fails in trial. I know my weakness in all respects, as much at least as any enemy I have ; and I attempt to take security against it. The only method which has ever been
 30 found effectual to preserve any man against the corruption of nature and example, is an habit of life and communication of counsels with the most virtuous and public-spirited men of the age you live in. Such a society cannot be kept without advantage, or deserted without shame. For this rule of conduct I may be called in reproach a *party man* ; but I am little affected with such aspersions. In the way

which they call party, I worship the constitution of your fathers ; and I shall never blush for my political company. All reverence to honour, all idea of what it is, will be lost out of the world, before it can be imputed as a fault to any man, that he has been closely connected with those incomparable persons, living and dead, with whom for eleven years I have constantly thought and acted. If I have wandered out of the paths of rectitude into those of interested faction, it was in company with the Saviles, the Dowdeswells, the Wentworths, the Bentincks ; with the 10 Lenoxes, the Manchesters, the Keppels, the Saunderses ; with the temperate, permanent, hereditary virtue of the whole House of Cavendish ; names, among which, some have extended your fame and empire in arms, and all have fought the battle of your liberties in fields not less glorious.—These, and many more like these, grafting public principles on private honour, have redeemed the present age, and would have adorned the most splendid period in your history. Where could any man, conscious of his own inability to act alone, and willing to act as he ought to do, have arranged 20 himself better ? If any one thinks this kind of society to be taken up as the best method of gratifying low, personal pride, or ambitious interest, he is mistaken ; and he knows nothing of the world.

Preferring this connexion, I do not mean to detract in the slightest degree from others. There are some of those, whom I admire at something of a greater distance, with whom I have had the happiness also perfectly to agree, in almost all the particulars, in which I have differed with some successive administrations ; and they are such, as it never 30 can be reputable to any government to reckon among its enemies. I hope there are none of you corrupted with the doctrine taught by wicked men for the worst purposes, and received by the malignant credulity of envy and ignorance, which is, that the men who act upon the public stage are all alike ; all equally corrupt ; all influenced by no other views

than the sordid lure of salary and pension. The thing I know by experience to be false. Never expecting to find perfection in men, and not looking for Divine attributes in created beings, in my commerce with my contemporaries, I have found much human virtue. I have seen not a little public spirit ; a real subordination of interest to duty ; and a decent and regulated sensibility to honest fame and reputation. The age unquestionably produces (whether in a greater or less number than former times, I know not) daring pro-
10 fligates, and insidious hypocrites. What then ? Am I not to avail myself of whatever good is to be found in the world, because of the mixture of evil that will always be in it ? The smallness of the quantity in currency only heightens the value. They who raise suspicions on the good on account of the behaviour of ill men, are of the party of the latter. The common cant is no justification for taking this party. I have been deceived, say they, by *Titius* and *Mavius* ; I have been the dupe of this pretender or of that mountebank ; and I can trust appearances no longer. But my credulity and
20 want of discernment cannot, as I conceive, amount to a fair presumption against any man's integrity. A conscientious person would rather doubt his own judgment, than condemn his species. He would say, I have observed without attention, or judged upon erroneous maxims ; I trusted to profession, when I ought to have attended to conduct. Such a man will grow wise, not malignant, by his acquaintance with the world. But he that accuses all mankind of corruption, ought to remember that he is sure to convict only one. In truth I should much rather admit those, whom at any time
30 I have disrelished the most, to be patterns of perfection, than seek a consolation to my own unworthiness, in a general communion of depravity with all about me.

That this ill-natured doctrine should be preached by the missionaries of a court, I do not wonder. It answers their purpose. But that it should be heard among those who pretend to be strong assertors of liberty, is not only sur-

prising, but hardly natural. This moral levelling is a *servile principle*. It leads to practical passive obedience far better than all the doctrines which the pliant accommodation of theology to power has ever produced. It cuts up by the roots, not only all idea of forcible resistance, but even of civil opposition. It disposes men to an abject submission, not by opinion, which may be shaken by argument or altered by passion, but by the strong ties of public and private interest. For if all men who act in a public situation are equally selfish, corrupt, and venal, what reason can be given 10 for desiring any sort of change, which, besides the evils which must attend all changes, can be productive of no possible advantage? The active men in the state are true samples of the mass. If they are universally depraved, the commonwealth itself is not sound. We may amuse ourselves with talking as much as we please of the virtue of middle or humble life; that is, we may place our confidence in the virtue of those who have never been tried. But if the persons who are continually emerging out of that sphere, be no better than those whom birth has placed above it, what 20 hopes are there in the remainder of the body, which is to furnish the perpetual succession of the state? All who have ever written on government are unanimous, that among a people generally corrupt, liberty cannot long exist. And indeed how is it possible? when those who are to make the laws, to guard, to enforce, or to obey them, are, by a tacit confederacy of manners, indisposed to the spirit of all generous and noble institutions.

I am aware that the age is not what we all wish. But I am sure, that the only means of checking its precipitate 30 degeneracy, is heartily to concur with whatever is the best in our time: and to have some more correct standard of judging what that best is, than the transient and uncertain favour of a court. If once we are able to find, and can prevail on ourselves to strengthen, an union of such men, whatever accidentally becomes indisposed to ill-exercised

power, even by the ordinary operation of human passions, must join with that society, and cannot long be joined without in some degree assimilating to it. Virtue will catch as well as vice by contact; and the public stock of honest, manly principle will daily accumulate. We are not too nicely to scrutinize motives as long as action is irreproachable. It is enough (and for a worthy man perhaps too much) to deal out its infamy to convicted guilt and declared apostasy.

This, gentlemen, has been from the beginning the rule of
 10 my conduct; and I mean to continue it, as long as such a body as I have described can by any possibility be kept together; for I should think it the most dreadful of all offences, not only towards the present generation, but to all the future, if I were to do anything which could make the minutest breach in this great conservatory of free principles. Those who perhaps have the same intentions, but are separated by some little political animosities, will I hope discern at last, how little conducive it is to any rational purpose, to lower its reputation. For my part, gentlemen, from much
 20 experience, from no little thinking, and from comparing a great variety of things, I am thoroughly persuaded, that the last hopes of preserving the spirit of the English constitution, or of reuniting the dissipated members of the English race upon a common plan of tranquillity and liberty, does entirely depend on their firm and lasting union; and above all, on their keeping themselves from that despair, which is so very apt to fall on those, whom a violence of character and a mixture of ambitious views do not support through a long, painful, and unsuccessful struggle.

30 There never, gentlemen, was a period in which the steadfastness of some men has been put to so sore a trial. It is not very difficult for well-formed minds to abandon their interest; but the separation of fame and virtue is a harsh divorce. Liberty is in danger of being made unpopular to Englishmen. Contending for an imaginary power, we begin to acquire the spirit of domination, and to lose the relish of

honest equality. The principles of our forefathers become suspected to us, because we see them animating the present opposition of our children. The faults which grow out of the luxuriance of freedom appear much more shocking to us than the base vices which are generated from the rankness of servitude. Accordingly the least resistance to power appears more inexcusable in our eyes than the greatest abuses of authority. All dread of a standing military force is looked upon as a superstitious panic. All shame of calling in foreigners and savages in a civil contest is worn off. We 10 grow indifferent to the consequences inevitable to ourselves from the plan of ruling half the empire by a mercenary sword. We are taught to believe, that a desire of domineering over our countrymen is love to our country ; that those who hate civil war abate rebellion, and that the amiable and conciliatory virtues of lenity, moderation, and tenderness to the privileges of those who depend on this kingdom, are a sort of treason to the state.

It is impossible that we should remain long in a situation, which breeds such notions and dispositions, without some 20 great alteration in the national character. Those ingenuous and feeling minds who are so fortified against all other things, and so unarmed to whatever approaches in the shape of disgrace, finding these principles, which they considered as sure means of honour, to be grown into disrepute, will retire disheartened and disgusted. Those of a more robust make, the bold, able, ambitious men, who pay some of their court to power through the people, and substitute the voice of transient opinion in the place of true glory, will give in to the general mode ; and those superior understandings 30 which ought to correct vulgar prejudice, will confirm and aggravate its errors. Many things have been long operating towards a gradual change in our principles. But this American war has done more in a very few years, than all the other causes could have effected in a century. It is therefore not on its own separate account, but because of its attendant

circumstances, that I consider its continuance, or its ending in any way but that of an honourable and liberal accommodation, as the greatest evils which can befall us. For that reason I have troubled you with this long letter. For that reason I entreat you again and again, neither to be persuaded, shamed, or frightened out of the principles that have hitherto led so many of you to abhor the war, its cause, and its consequences. Let us not be among the first who renounce the maxims of our forefathers.

10

I have the honour to be,

GENTLEMEN,

Your most obedient and faithful humble servant,

EDMUND BURKE.

Beaconsfield, April 3, 1777.

P.S.—You may communicate this letter in any manner you think proper to my constituents.

NOTES.

SPEECH ON AMERICAN TAXATION.

PREFACE.

P. 1, l. 4. **obligingly** furnished, etc. From 1640 to 1771 the House of Commons was engaged in constant struggles to prevent the publication of its debates. Those efforts ceased after 1771, but the task of a reporter was still very difficult. He was not allowed to take notes. No place was reserved to him, and he often found it hard to get admission into the space reserved for strangers. Besides, all strangers might at any time be excluded from the House at the desire of a single member. It was after the burning of the old Houses of Parliament in 1834 that special galleries were first provided for the press. Technically, the publication of debates is a breach of privilege even now; but, in fact, a printer is not censured except for wilful misrepresentation.

l. 7. **a delicacy**, The word expresses the feeling which makes a man shrink from doing what might be regarded as wrong or unseemly. **possibly over-scrupulous**, Burke implies that duty did not really require him to hold back his speech for fear that it might encourage the Americans to oppose England.

l. 8. **administration**, we should say the Ministry, or the Government. Burke uses the word *Ministry* also without the article. See, for instance, p. 6, l. 7.

l. 17. **to asperse**, to malign. This is a secondary meaning of the Latin word *aspergere*, which means, literally, to sprinkle.

P. 2, l. 6. **the plantations**, the word was used where we should use colonies or settlements. It no longer bears this sense. The Latin word *planta* means a shoot; and a colony is an offshoot of the mother country.

SPEECH, &c.

l. 15. **a drawback**, a total or partial refund of a duty, paid either upon imported goods or upon home productions subject to excise, when they were exported. The object, of course, was to encourage exportation. At the time at which Burke wrote commercial regulations were made, not so much with a view to the interests of trade as with a view to the accumulation of money for the maintenance of the country's military supremacy. The exporter, therefore, was encouraged, because to export is to sell to foreigners, that is, to bring money into the country.

l. 20. **clandestine running**, smuggling.

l. 23. **this day sevensnight**, this day week. The word seven-night, or sennight, is formed on the analogy of the word fortnight, i.e. fourteen nights. **resolve itself**, etc. The outward signs of the House being in Committee are that the President of the House is not the Speaker, but the Chairman of Committees, and that the mace is placed under, instead of upon, the table which stands in front of the chair. The Chairman of Committees does not sit in the Speaker's chair, but at the right hand corner of the table. In the ordinary sittings of the House a member can only speak once with regard to any motion or amendment; but in Committee this rule is relaxed. "In Committee the discussion ought to be purely business conversation, and a member may speak as often as he pleases, or rather, as often as the House will listen." (Bradlaugh, *Rules and Procedure of the House of Commons*.) All money bills are introduced in Committee of the whole House. Speaking generally, the first reading of any bill is a mere form. The second reading determines whether the principle of a bill is acceptable to the House or not. If it is, the House, after the second reading, goes into Committee to consider it in detail.

l. 27. **the appropriation**, the objects to which it is devoted.

l. 30. **Sir**, Members of the House of Commons address the Speaker. "The first business done by a new House of Commons is to elect its Speaker, and this is done before the members take the oath or affirmation of allegiance and sign the roll. In a new Parliament, the Clerk of the House, rising silently, points his finger to the member who nominates, and then to the member who seconds, the proposed Speaker; and if there be no contest, then, after a few words from the Speaker-elect, he is led to the chair by his proposer and seconder. If there be a contest, the Clerk, acting as if presiding, puts the question, directs the division, and declares the result. The Speaker-elect does not at once take the chair, but, standing on its upper step, first returns thanks; then, on taking his seat, he receives the congratulations of the House, expressed by the leader, and by the leader or some

leading member of the Opposition. The House then adjourns to the following day, when the Commons go to the House of Lords to present the new Speaker for the approbation of the Sovereign, which is now never withheld. ... The Speaker so elected and approved, if he so long lives or does not resign, continues in that office for the whole of that Parliament, unless removed by a vote of the House. ... On returning from the House of Lords, after announcing his approval, the Speaker, standing on the upper step of the chair, repeats and subscribes the oath of allegiance. ... The Speaker is the first Commoner in the realm. and is the sole 'mouth' of the House. Any reprimand ordered by the House is delivered by the Speaker. ... In Committee of the whole House the Speaker is entitled to speak and vote, as if an ordinary member. . . . If on a division of the whole House the votes are equal, it is the duty of the Speaker to give the casting vote." (Bradlaugh.) **the honourable gentleman**, It is out of order for a speaker to refer to a member by name. He must designate a member as the honourable gentleman, or the honourable member for so-and-so, except in the case of a member of the Government, who may be designated by reference to the office which he holds. Burke is referring to a Mr. Cornwall, who had lately been appointed one of the Lords of the Treasury.

P. 3, l. 2. **we have been lashed, etc.**, we have been compelled to listen to the same arguments constantly repeated. To lash means to whip.

l. 3. **miserable, pitiable, contemptible. occasional arguments, etc.** Burke means to say that the policy of the Government is not based on sound general principles of policy, but that they merely invent some argument in defence or justification of it whenever it is attacked. The argument referred to below, that the duty on tea was retained on commercial principles, is an occasional argument. It would never have been thought of but for the necessity of providing some kind of defence for what was in itself indefensible. Cf. p. 10, l. 10, "They never had any kind of system," etc. : **temporary expedients**, devices for getting out of a difficulty for the moment. Gibbon, ch. 26, talks of "ministers who substituted the cunning of temporary expedients for the wise and salutary councils of general policy." Burke means that, when we find ourselves in a difficulty, we should look for the cause of it, so that we may get rid of it altogether. By the 'nine long years' he means the period which had elapsed since the Stamp Act.

l. 4. **our heads must turn, etc.**, we must be quite confused by them and sick of them. Giddiness and sickness are the natural results of being 'lashed round a circle.' The word *nausea*, from the Greek *naus*, a ship, means literally sea sickness. Burke uses the verb *nauseate* intransitively, in the sense of 'to feel sick.'

l. 7. *Invention*, etc. No new light remains in which they can be placed before us; no new argument with regard to them is possible; they have been proved disastrous in their results; still members persist in repeating them.

l. 10. *disgusting*, tiresome. We use the word now in a much stronger sense, to denote whatever is in the highest degree offensive. The word means, literally, distasteful. *Gustare* in Latin means to taste. Johnson, who was a friend of Burke, says of Milton's *Lycidas*—"Its form is that of a pastoral, easy, vulgar, and therefore *disgusting*," i.e. unpleasing.

l. 12. *Challenges are serious things*. A challenge is virtually an assertion that it is impossible to prove the challenger to be in the wrong. A prudent man will be quite sure of his case before he makes such an assertion.

l. 14. *I had long*, etc. This is a mild way of saying that Cornwall was a political deserter. To sit at the same side of the House means to belong to the same political party. The party in power sits on the right hand of the Speaker, the Opposition on his left.

l. 20. *the privilege of an old friendship*. We look naturally to our friends to defend and justify what we do, and Burke defends his own action by an appeal to the example of Cornwall, who was his friend.

l. 22. *grounds he has measured out*, the metaphor is taken from marking out the limits within which a contest of any kind is to be held. A Parliamentary debate is compared to a battle on p. 7, l. 32.

l. 23. *poor*, used as we use the word *humble*. A feeling of modesty suggests the application of the epithet to one's own efforts.

l. 27. *the question on your paper*, the question which is before the House for discussion, viz., the tea duty and its appropriation. The *paper* is the order book or notice paper for the day.

P. 4, l. 2. *His zeal*, etc. In the excitement of speaking, he exceeded the limits which he had laid down for himself.

l. 8. *an excursion*, literally 'a running out.' The word is generally used now to signify a short pleasure trip. Burke means that he strays beyond the subject to which he had said that he was going to confine his speech.

l. 21. *our invention*, our ingenuity.

l. 30. *dull*, stupid. The continuous misfortune is the result of stupidity, when he who suffers it either will not or cannot see and remove the cause of it. *the unpitied calamity*, etc. The troubles with America were due to a reimposition of taxes of a kind which the Americans had shown already that they would

not pay; and those who run into difficulties with their eyes open deserve no compassion.

1. 33. **management**, used like the French word *ménagement* in the sense of reserve, or consideration. Burke is going to express his opinion freely.

P. 5, l. 5. **agreeably to**, in accordance with.

1. 6. **take post on**, etc., take their stand upon, i.e. urge it as a ground for other concessions in the future.

1. 10. **I can give no security**, I cannot go bail for the Americans.

1. 12. **the experience**, viz., of what have been the consequences of repealing taxes in the past.

1. 15. **would to God**, a favourite expression of a very earnest wish. "To in the phrase 'I would to God,' may mean 'near,' 'in the sight of'; or there may be a meaning of motion 'I should desire (even carrying my desire to) God.' Possibly, however, the phrase may be nothing but a corruption of the more correct idiom 'Would God that.' The *to* may be a remnant and corruption of the inflection of 'would,' 'wolde'; and the *I* may have been added for the supposed necessity of a nominative." (Abbot, *Shakespearian Grammar*, § 190.)

1. 23. **the maxims of that repeal**, the principles on which the repeal was granted. The Americans did not object to the imposition of duties by England for the regulation of trade. But they would not allow England to levy taxes in America by Act of Parliament for the benefit of the English Government. **you revived**, referring to the taxation proposed by Townshend in 1767.

1. 29. **by the battery**, the language is proper to describe the assault upon a town by artillery. The word *battery* means literally *beating*.

1. 33. **damning**, lit. condemning, i.e. fatal to those against whom it is directed.

1. 34. **in circles**, in private society.

P. 6, l. 1. **They at least are convinced**, etc., otherwise they would not have repealed any of the taxes imposed by Townshend.

1. 3. **the honourable gentleman**, Mr. Cornwall.

1. 14. **purposes still more extensive**, These are defined in the preamble quoted by Burke on p. 8. The student will notice that the duties imposed by Townshend were of the kind to which in principle the Americans did not object. They were trade duties. But, though this was so, yet they were levied for the express purpose of supplying a deficiency in the English revenue. They were only proposed by Townshend because an adverse vote

of the House of Commons on the Land Tax had diminished his estimated revenue by half a million. Besides, after the irritation caused by the Stamp Act, the Americans were not likely to observe too nicely even distinctions which they themselves had drawn, or willingly to accept any taxes of any kind which England might impose.

1. 18. **for reasons best known to themselves**, This is a common expression, signifying that, in the opinion of the speaker, no reason could be assigned for what was done. A curious instance of the use of the phrase is quoted in one of Macaulay's letters to Ellis—"Have you read Lord Londonderry's Travels? I hear that they contain the following pious expression of resignation to the divine will: 'Here I learned that Almighty God, for reasons best known to Himself, had been pleased to burn down my house in the county of Durham.' Is not the mixture of vexation with respect admirable?" (Trevelyan, *Life of Macaulay*, ch. 9).

1. 20. **the minister**, Lord North.

1. 23. **Let your pretence**, etc., alluding to the argument that they were repealed on commercial principles. Burke means that a Ministry which has already repealed taxes cannot refuse the repeal of another tax on the ground that mere repeal encourages rebellion.

1. 28. **it was as good**, etc. If the argument was a good one, all the taxes should have been retained; if it was a bad one, they should all have been removed.

1. 31. **the ill policy**, the unwisdom. Ill means bad. It is a contracted form of *evil*.

1. 35. **has nothing at all to answer**, has no defence to offer. If he believes that to repeal a tax is to encourage rebellion, he must himself plead guilty to the charge of encouraging rebellion.

1. 36. **He stands condemned**, etc. Though responsible for the revenues of the country, he has wantonly thrown away revenue; and he has lowered the dignity of the country by forcing it to make unnecessary concessions to insubordinate subjects.

P. 7, l. 4. **Most men**, etc. A great man often mistakes a flatterer for a friend. Burke says ironically that he is a better friend to Lord North than those who call themselves his friends. They, by their arguments, make him out a traitor to his country. Burke is going to show him that what he has done is not mischievous, as it would be if his friends' arguments, and even his own, were sound.

1. 6. **his own**, viz., his own hands.

1. 7. **at home**, by himself and his friends, as opposed to by a stranger.

l. 10. **His work was not**, etc. He was not wrong in repealing taxes ; his mistake was that he did not repeal them all.

l. 12. **your paper**, see note on p. 3, l. 27. He refers to the proposal of Mr. Rose Fuller.

l. 19. **the noble lord**, Lord North. Students may not understand why, though called *Lord*, he was yet in the House of Commons. He was the second son of the Earl of Guilford, and the sons of peers, even when they bear courtesy titles, are, for all legal and political purposes, commoners. Scottish and Irish peers are also found in the House of Commons, because only sixteen Scottish, and twenty-eight Irish, peers are entitled to sit in the House of Lords. The Scottish peers are elected, at the opening of a new Parliament, by an assembly of peers at Holyrood. The Irish peers were elected for life, but no more will be elected, as Eire now has its own Parliament.

l. 22. **because he is the last**, If repeal, as such, produces a tendency to insubordination, each fresh repeal must strengthen the tendency.

l. 28. **The preamble**, the introductory statement of objects and reasons prefixed to a bill, to explain the necessity of it, and so induce people to acquiesce in it. **has the lie direct**, etc., is contradicted absolutely by. For the phrase, see Shakespeare's *A You Like It*, v. 4. 42-76.

l. 29. **the provisionary part**, the body of the Act imposing the taxes which are to yield the revenue declared in the preamble to be necessary.

l. 30. **which makes no provision**, because most of the taxes have been repealed.

l. 33. **the ancient household troops**, a body of members, in the pay of the court, who would vote as a matter of course for all measures which were acceptable to George III. They were known as *King's friends*. In the *Present Discontents* Burke describes them as a highly-organized corps, and he is fond of comparing them to a body of mercenary troops, or to a paid body-guard, such as the Janissaries of the Sultan of Turkey. At that time a sovereign could, if he pleased, exercise an immense influence on the votes of the House of Commons ; and George III. exerted his influence to the full. England's American policy was really George III.'s policy. The student will find full information as to the extent and mode of the King's influence in May's *Constitutional History of England*, vol. i., pp. 22-69, and pp. 369-387. The circumstances which at that time rendered Parliament so open to influence are described in the same volume, pp. 327-365.

l. 34. **the new recruits**, the political renegades who have gone over to the side of the Ministry.

P. 8, l. 1. **The clerk.** This officer's official title is "Under Clerk of the Parliaments to attend upon the Commons." He sits at the table in front of the Speaker to the right hand of the Speaker. There are besides him, in the House of Commons, a Clerk-Assistant and a second Clerk-Assistant, whose chief business it is to keep the Journals of the House. They are permanent officials of Parliament, the Clerk being appointed for life, the Assistant-Clerks being only removable on an address to the Crown from the House (Bradlaugh).

l. 2. **favourite**, i.e. which the Ministers and their supporters are so fond of quoting.

l. 11. **pompous**, pretentious. The word *pomp* is derived from the Greek word *pompé*, a procession. It signifies generally state, display, magnificence. The adjective *pompous* always expresses ridicule of that to which it is applied. For instance, a pompous man is one who shows by his behaviour that he has an exaggerated idea of his own importance.

l. 14. **poor**, often used to express the feeling which is half pity, half contempt.

l. 15. **the supply**, a technical word for revenue. The House of Commons, when the Budget is introduced, sits in "Committee of Supply."

l. 16. **in the general wreck**, with the taxes which were re-

l. 17. **precious**, Used ironically, much as the words *fine* and *pretty* sometimes are, to signify something ridiculous or worthless.

l. 22. **fair**, beautiful. It is, of course, used ironically.

l. 23. **Estimate**, etc. Consider how much you will lose, if you do lose it. As it is worthless the loss of it will not signify.

l. 25. **false recital**, The statement, namely, that it is desirable to raise money for certain purposes in America. If this had been true the money would not have been sacrificed.

l. 28. **on commercial principles**, in the interests of trade. Burke's argument is—Before imposing an import duty we should consider, first, whether it is one that can be easily evaded by smuggling, secondly, whether it is likely to any considerable extent to diminish the sale of the commodity on which it is laid, by raising the price of it, and, if so, whether such diminution would be of any serious consequence. Tea can easily be smuggled; the commodities, the duties on which were removed, could not. The tea trade was of very great importance to England, and therefore it was very unwise to meddle with it. The trade in some, at least, of the commodities from which the duties had been removed was so small as not to be worth consideration, and such as it was, it could not be diminished by taxation, because it was

practically impossible to obtain the commodities from any other country than England. The reason, then, given by the Ministry for removing the taxes which they had removed was a false one. The tax which they had retained was precisely the one which, in the interests of commerce, they ought to have removed.

l. 28. **the paper in my hand**, Lord Hillsborough's circular letter to the governors of the colonies with regard to the repeal of some of the duties imposed in the Act of 1767. See the Introduction to this volume.

l. 35. **if you please, if you choose**. It is not the common formula for a polite request.

P. 9, l. 1. **these supposed consequences**, viz., the supposed tendency of concession to encourage rebellion.

l. 2. **this pretence**, etc. If concession, as such, produces rebellion, the Americans would not be any the less likely to rebel because of the particular pretext on which the concession was granted.

l. 9. **objects of duties**, things to be taxed.

l. 10. **without**, used in its literal sense of outside of or beyond.

l. 11. **as**, because they are.

l. 12. **contraband, smuggling**. Literally the word means "what is opposed to a proclamation." The second half of the word is the same as *banns*, plural of *ban*, which is most common in the phrase "banns of marriage." The final *d* comes in through the Italian *bando*, which is the low Latin *bannum*, a proclamation. **red and white lead**, used by painters for colouring.

l. 14. **amounts to a monopoly**, When a commodity can be obtained from one country only, that country has the monopoly of it. When a country can produce a commodity so much cheaper than any other that no one would buy it anywhere else than in that country, it has what is practically, or what *amounts to*, a monopoly. Monopoly is a Greek word signifying exclusive sale. At the present day the lead mines of the United States are more productive than those of England.

l. 16. **even your own export**, The word *even* expresses that this was an extraordinary measure. A tax upon a commodity, by raising the price of it, tends to diminish the sale of it. England would not naturally diminish the sale of her own goods. The tax on English coals could not diminish the sale of them, because other countries were obliged either to buy them from England, whatever they cost, or to go without them.

l. 21. **without injury to commerce**, that is, without diminishing the sale.

l. 25. **their utter annihilation**, etc., the fact of America ceasing to buy them from us altogether.

l. 31. **with its necessary connexions**, with all that is bound up with it. As he goes on to show, it affected the existence of England's American and Indian Empire.

P. 10, l. 2. **read**, teach.

l. 4. **large and liberal ideas**, that is, as he goes on to explain, the capacity to comprehend all the bearings of a measure.

l. 10. **They never had**, etc. See note on p. 3, l. 3. By **system** he means a single and consistent method of dealing with political problems.

l. 11. **miserable**, See note on p. 3, l. 3.

l. 12. **to sneak out**, to creep out without being observed, like a man who is ashamed of himself.

l. 13. **strutted**, walked pompously. Skeat says that the original meaning seems to have been 'to stick out stiffly.' Hence it would mean to swell, or to be puffed up.

l. 15. **to pilfer** means to commit petty thefts. Burke alludes to the fact that all the taxes were not repealed at once. To remove one tax at a time, so that the removal might not be noticed, is compared to stealing a sum of money by small coins at a time. **piece-meal** means by pieces at a time. The suffix *meal* means 'by bits.' The meaning of the whole passage may be expressed thus—"The Ministers are very proud of their measures when they introduce them; but, when they discover the disastrous results of them, they invent some false excuse to justify the repeal of them, just as a coward attempts to escape by lying from the consequences of wrong-doing. An honourable man, when he finds that he has made a mistake, avows it and rectifies it in the face of the world. The Ministers have not acted in this way. They have given false reasons for the removal of an Act which they were unable to retain, and they have endeavoured to get rid of it by imperceptible degrees, in the hope that the fact of their being obliged to get rid of it at all might possibly escape notice."

l. 16. **generous**, The word means literally of noble birth, and so comes to denote the qualities which a man of noble birth ought to possess.

l. 19. **so insignificant**, etc. Tea is not in itself of more importance than any other commodity. It derived exceptional importance from the fact that the existence of the Empire depended on a large sale of it.

l. 25. **You were distressed**, etc. "In July, 1772, the Directors were obliged to confess that the sum required for the necessary payments of the next three months was deficient to the extent of no less than £1,293,000; and in August the Chairman and Deputy-Chairman waited on the Minister to inform him that nothing short of a loan of at least one million from the public could

save the Company from ruin." (Lecky.) Various causes had contributed to bring about this state of things. The development of the country was prevented by the normal policy of the English officials, who prevented the growth of any native trade that was likely to compete with their own. The normal expenses of the Company were heavy. They maintained an army of 30,000 men. They paid about £1,000,000 yearly in compensation to native chiefs. They had to pay heavy dividends to the proprietors in England, and from the year 1769 they were charged with an annual payment of £400,000 to the English Treasury. In 1769 they were forced to conclude a treaty of peace with Hyder Ali, and this had a disastrous effect upon their credit. In addition to all this Bengal was visited in the year 1770 by a most terrible famine.

l. 29. to aggravate, to represent as greater than it really was. Burke at that time opposed the interference of Parliament in the affairs of the East India Company as being illegal, unnecessary, and likely to increase rather than to diminish oppression, poverty, and corruption in India. See Lecky, vol. iii., ch. 13, pp. 486-7.

l. 30. with all the parade, etc., with rhetorical exaggeration. The word parade means display. It is from the French word *parer* (Latin *parare*, to prepare), which means to adorn.

l. 31. The monopoly, etc. The whole of the trade between England and the East Indies was in the hands of the Company. Adam Smith, *Wealth of Nations*, Bk. iv., ch. 7, points out the effects of such a monopoly on the country which grants it. "The greater part of that nation (in this case, England) are thereby not only excluded from a trade to which it might be convenient for them to turn some part of their capital, but are obliged to buy the goods which that trade deals in somewhat dearer than if it was open and free to all their countrymen."

l. 32. imperial, worthy of an Empire, splendid. But there is a special allusion to the territorial revenues of the Company as distinguished from its trade profits. The right of a company to such revenues was hotly disputed at the time. It was "strongly maintained that no subjects could acquire the sovereignty of any territory for themselves, but only for the nation to which they belonged; that while the trading privileges of the Company should be preserved as long as its charter was in force, its territorial revenue belonged of right to the nation." (Lecky, vol. iii., ch. 13.) Burke was opposed to this view. The matter was compromised by exacting from the Company the contribution to the English Exchequer mentioned in my note on l. 25.

l. 33. Such was your representation, such was the state of affairs according to your account. Burke implies that it was exaggerated.

l. 34. The vent, The word vent, an outlet, is really distinct

from the word *vent*, a sale. The first is derived from the Latin *fendo*, to cleave; the second from the Latin *vendo*, to sell.

1. 35. **looked up**, because the Americans refused to buy it until the duty was taken off.

P. 11, l. 2. **desperate measures**, The reference is to Lord North's Indian Act of 1773, by which "the charter of the East India Company was completely subverted, and the Government of India passed mainly into the hands of the Ministers of the Crown." (Lecky, vol. iii., ch. 13.) "By one Act the Ministers met the Company's financial embarrassments by a loan of £1,400,000 at an interest of 4 per cent., and agreed to forego the claim of £400,000 till this loan had been discharged. The Company was restricted from declaring any dividend above 6 per cent. till the new loan had been discharged, and above 7 per cent. till its bond-debt was reduced to £1,500,000. It was obliged to submit its accounts every half year to the Lords of the Treasury; it was restricted from accepting bills drawn by its servants in India for above £300,000 a year, and it was obliged to export to the British settlements within its limits British goods of a specified value. By another Act the whole constitution of the Company was changed, and the great centre of authority and power was transferred to the Crown. The qualification to vote in the Court of Proprietors was raised from £500 to £1000, and restricted to those who had held their stock for twelve months; and by this measure 1246 voters were at once disfranchised. The Directors, instead of being, as heretofore, annually elected, were to sit for four years, a quarter of the number being annually renewed. The Mayor's Court at Calcutta was to be restricted to small mercantile cases, and all the more important matters of jurisdiction in India were to be submitted to a new Court, consisting of a Chief Justice and three puisne judges appointed by the Crown. A Governor-General of Bengal, Behar, and Orissa was to be appointed at a salary of £25,000 a year, with four Councillors at salaries of £8000 a year, and the other presidencies were made subordinate to Bengal. The first Governor-General and Councillors were to be nominated, not by the East India Company, but by Parliament; they were to be named in the Act, and to hold their offices for five years; after that period the appointments reverted to the Directors, but were subjected to the approbation of the Crown. Everything in the Company's correspondence with India relating to civil and military affairs was to be laid before the Government. "No person in the service of the King or of the Company might receive presents, and the Governor-General, the Councillors, and the judges were excluded from all commercial profits and pursuits." (Lecky, *ib.*) **desperate**, means extreme: such as might be adopted by a person who 'had lost hope.'

l. 6. **the demand**, etc., the difference between the amount that is bought and the amount that is offered for sale is growing less.

l. 7. **dear-bought East India committees**, When the Company applied to Government for a loan (see note on p. 10, l. 25) "a Select Committee, consisting of thirty-one members, was appointed by Parliament to make a full inquiry into the affairs of the Company." When it had presented its report "a new Committee, this time sitting in secret, was appointed by the Government to investigate its affairs." (Lecky, vol. iii., ch. 13.) By calling them *dear-bought* Burke means that the results obtained were small in proportion to the labour. At the beginning of vol. iv. of Burke's works (Bohn's Ed.) there is a report of a Select Committee dated June, 1783. This states in what respects, and why, Lord North's measure had failed.

l. 11. **It is through**, etc., England will have to make good the money which she prevents the Company from realizing by the sale of tea.

l. 17. **thrown open folding-doors**, has opened the door wide to. *Folding-doors* are double doors. People naturally evade an odious duty by smuggling.

l. 18. **will be the means**, etc., because the Americans will no longer buy their supplies from England. "Associations were formed binding all classes to abstain from tea, or at least to drink only what was smuggled." (Lecky, vol. iii., ch. 12.)

l. 22. **on all the debate**, as the result of. The whole discussion has shown it to be that. **a description**, a kind.

l. 24. **but too comprehensive**, including, I am sorry to say, terms I should wish to see removed from it. *Too* expresses excess: and *but* implies that the excess is matter for regret. By 'the vocabulary of finance' he means technical revenue terms: and by calling it too comprehensive he means that it would be well if some of the recognized modes of raising revenue were abandoned.

l. 25. **a preamble tax**, referring to the argument on p. 7, l. 24. **It is indeed**, etc. It is justified by a mere quibble, and defended by an argument worthy only of a pedant; it leads to discussion, and will end in war and rebellion. It has none of the characteristics of a good tax, for it is paid unwillingly, if at all, and is unprofitable.

The Sophists were a class of teachers who arose in Athens in the fourth century. They professed to teach the accomplishments, specially rhetoric, which were required for practical success in that democratic city. They were distrusted by orthodox conservatives as men who taught 'the art of making the worst cause seem the better.' Plato and Aristotle are specially responsible for the evil connotation which attaches to the words *sophist* and *sophistry*. They regarded the Sophists as vendors of spurious

knowledge. Sophistry means quibbling. *Pedantry* means the unreasonable ostentation, or the affectation, of knowledge supposed to characterize a teacher (*pedant*). In a wider sense, it denotes an absurd respect for mere form, and a preference of the letter to the spirit. The argument that a tax, which yields no revenue, must be retained, because the preamble says that a revenue is desirable, is naturally called a pedantic quibble.

1. 29. **Well!** but, etc. A defender of the tax is here supposed to reply to Burke's argument—"Whether it be a tax of sophistry or not, we are going to enforce it." Burke replies, "You will enforce them?" i.e. what sense is there in saying that you will enforce it, when experience shows that you cannot? The words 'O but,' etc., introduce another argument from an imaginary opponent—"It is absurd for the Americans to object to a tax, which actually cheapens their tea." Burke's reply begins at "All this," etc.

1. 35. **is taken off**, is allowed as a drawback when the tea is exported from England. See note on p. 2, l. 15. Indian tea was first imported into England and sold by public auction to English merchants, who re-exported it to America. When brought into England it paid a duty of 12d. in the pound, which was, of course, added to the price of the tea when it was sold. Three-fourths of this duty was now refunded to the English exporter, who could therefore sell his tea cheaper by 9d. a pound, and a tax of 3d. a pound was imposed in America. The net result to the Americans was that they paid 6d. a pound less for their tea. The Americans, however, preferred freedom from what they considered illegitimate taxation to cheap tea.

1. 36. **the retention**, viz., in the English Treasury. Instead of keeping the 12d., which it received on importation, the Treasury refunded three-fourths of it to the English exporter.

P. 12, l. 7. **litigation**, used in the general sense of dispute, not in the more limited and more frequent sense of a contest at law.

1. 10. **excises**, excise is a tax on home products, as opposed to *custom-duties*, which are levied on exports and imports. For instance, in India the tax upon salt and country liquors is an excise.

1. 11. **are drawn back**, are refunded.

1. 12. **instead of withholding**, instead of not refunding the excise. Cf. 'the retention,' p. 11, l. 36.

1. 19. **discharged**, to discharge means 'to remove the burden.' You first took the load of the tax off the English merchant, and then put it on to the American consumer.

1. 20. **devour it to the bone**, the proceeds of the tax would only just pay for the expense of collection. The phrase implies that the tax would be wholly swallowed up. It is suggested by the idea of a dog picking a bone quite clean.

l. 21. **One spirit**, etc. The principle of your policy is the same throughout. The phrase is suggested by a passage in Virgil, or rather by Dryden's translation of it. "The whole world is nourished by a spirit within it, and soul, diffused throughout its parts, *animates the whole mass*" (*Æn.* vi. 726). I have translated it literally, but have taken the words italicized from Dryden.

l. 24. **go out of**, etc. Neglect the obvious requirements of finance, viz., by giving up a tax which had been collected in England on the chance of collecting another in America.

l. 28. **could bear**, If the tax does not diminish the sale of a thing, the thing *can bear* the tax. The tea duty did diminish the sale, but not for the ordinary reason. The Americans were not unable, but unwilling, to pay it. **an imposition**, literally, a laying on.

l. 30. **two millions**, Burke mentions the number to show that they are sufficiently strong to resist.

l. 31. **The feelings**, etc. The colonies now feel as England once felt when the Stuarts attempted arbitrary taxation. If we admire the Englishmen, how can we blame the Americans?

l. 33. **Mr. Hampden**, In the year 1626 Hampden refused to contribute to a forced loan, and in 1637 he refused to pay "the ship-money"—a tax levied on ports and maritime counties, which it was proposed to convert into a general tax levied by the royal will on the whole country.

l. 36. **on the principle**, etc., that is, by arbitrary command of the Sovereign, and not by a vote of the House of Commons.

P. 13, l. 1. **the weight of that preamble**, that is, the declaration in the preamble that revenue is to be raised by Imperial taxation in America.

l. 10. **by something much stronger**, i.e. by actual repeal.

l. 11. **It is a reflection upon**, etc., it suggests doubt as to your wisdom.

l. 15. **it is very material**, A favourite argument with those who wished to retain the duty was that it was the assertion of a right, and that therefore in abandoning the duty England would abandon a right.

l. 23. **a quiddity**, an abstraction. It is a scholastic term formed by the addition of the ordinary Latin termination of an abstract noun to the Latin *quid*, which signifies *what*, i.e. what is it? So *quidditas* is the name for the abstract idea of the nature or qualities of a thing.

l. 24. **wants ... even a name**, it is impossible to name nothing.

l. 25. **abstract right**, right considered without reference to the expediency of exercising it on any particular occasion.

l. 27. **is tied to it**, is inseparably bound up with it: that is, that you cannot sacrifice it without loss of dignity. I know not how it happens, the meaning of this expression is—it is a very unfortunate circumstance that.

P. 14, l. 2. **does not stand**, etc. Cornwall had probably argued that the Americans ought to be contented with the concessions which England had already made.

l. 3. **ill-chosen ground**, The metaphor is taken from a general choosing a position for battle.

l. 10. **that**, a conjunction connecting the sentence with *when*, upon which it depends. The meaning is, “when America is, etc., and when you have just revived.”

l. 11. **driven us into a corner**, lit. forced us into a place from which there is no escape, that is, confronted us with an argument which we cannot meet.

l. 12. **pent up**, confined in a narrow space.

l. 13. **the lists**, lit. the space roped in for a tournament. The debate is compared to a combat. **his new friends**, Burke loses no opportunity of reminding Mr. Cornwall that he had changed sides in politics.

l. 20. **a statute**, By this statute persons accused of treasonable acts outside England could be brought to trial in England. Burke says in the text that the application of the statute was new. This is true. The statute was directed against those whose offences were committed where England had no jurisdiction. See p. 118, l. 20. In his letter to the sheriffs of Bristol Burke exposes the iniquity of applying the statute to the Americans. The excuse offered for it, of course, was that no jury in America would convict an American.

l. 21. **well-considered**, ironical.

l. 28. **shutting the door against**, excluding.

l. 33. **the speech from the throne**, this, which is, in form, an address from the Sovereign to Parliament is, in reality, an official exposition of the policy of the Ministers.

P. 15, l. 7. **exploded**, scouted. The word signified in Latin “to drive a play off the stage by a noisy clapping of hands.”

l. 13. **the king's speech**, the speech from the throne alluded to on the previous page.

l. 26. **your**, the letter was addressed to the Colonial governors.

l. 33. **a canonical book**, etc. Here is an authentic letter of the Ministry. The word canonical (from the Greek word canon, a rule) is technically applied to those books of the Bible which are accepted as containing the rule of faith. Other writings, of doubtful date or authenticity, are called *apocryphal*, literally

secret or hidden. The word *scripture*, which literally means writing, is often used absolutely for the sacred writings, that is, the Bible.

l. 34. **the general epistle**, etc., the letter addressed to the whole American people. The New Testament contains certain general epistles, that is, letters not written to any particular church or community. For example, James addresses a letter "to the twelve tribes which are scattered abroad." Peter writes "to the strangers scattered throughout Pontus, Galatia, Cappadocia, Asia, and Bithynia." The letters in the New Testament are always called *Epistles*. **the gentleman**, Mr. Cornwall.

P. 16, l. 1. **I pass by**, I say nothing of. Burke is only concerned to show that the reason now put forward by the Ministry for not repealing the Tea Duty is inconsistent with their words and actions in the past. He could, if it were relevant, point out that their conduct, besides being inconsistent, had also been unconstitutional. The Constitution confines the right of imposing and levying taxes to the House of Commons. Lord Hillesborough had no business to make any promise whatever about taxes.

l. 3. **that sacred and reserved right**, which is solemnly reserved for the Commons. It was unconstitutional to put into the mouth of the Sovereign any promise with regard to revenue (supply). It is the business of the House of Commons to grant or withhold supplies even to the King himself.

l. 4. **I conceal**, I will not expose. The words which follow are a reminiscence of a Greek myth. Certain giants, called Titans, attempted to pile three mountains in Thessaly one upon another, so that they might ascend and assault Jupiter in heaven. They were defeated by the thunder of Jupiter.

l. 8. **our ministerial sureties**, the ministers, who, quite unconstitutionally, had given a pledge as to what Parliament would do.

l. 9. **promising amendment**, promising to behave better in future, that is, never to tax for revenue any more.

l. 10. **we are grown wiser**, etc., ironical. We allow violations of the Constitution to pass unnoticed. Our fathers knew that every such violation was a danger to their own freedom, and therefore resisted it, if necessary, by force.

l. 12. **the mere policy**, the views and intentions of the Ministry.

l. 17. **the American distinction**, viz., that England may make commercial regulations, but may not raise a revenue in America.

l. 18. **formally**, expressly, in so many words; as opposed to virtually, or by implication.

l. 21. **I care not how consistently**, Burke means that the declaration was not consistent with their action, because they had

attempted to raise revenue by taxation But this inconsistency does not affect Burke's argument, that, having promised repeal, they must grant it.

l. 26. **bring out the image**, etc., knowing that nobody will believe them they make the King give the promise. The Ministers are the responsible advisers of the Sovereign, and therefore the Sovereign's name ought not lightly to be used in public papers. The occasions on which this is done should be as rare as the public exhibition of images.

l. 28. **pawn**, pledge.

l. 36. **unknown to the world**, to judge by their actions, they had entertained sentiments the very opposite of those expressed in the letter.

P. 17, l. 3. **wicked American taxers**, future English statesmen, who might entertain what the Ministers now call the wicked idea of raising revenue in America.

l. 22. **since we suffer**, See note on p. 16, l. 3. The Sovereign ought not to make any promise about taxes; but, since he has been allowed to make a promise, he must not be made to break it.

l. 30. **upon the floor**, the benches in the House of Commons rise in tiers. The lowest bench to the right of the Speaker is occupied by the members of the Government, the corresponding bench on the left being reserved for the leaders of the Opposition. Burke is speaking of Lord North.

P. 18, l. 2. **We were unworthy**, etc. The whole passage is a strong condemnation of the action of the Ministry as being unconstitutional. The Ministry have no right to impose, repeal, or appropriate taxes, except as they are authorized by the House of Commons. In this case the Ministry committed the House of Commons to a course of conduct with regard to taxation.

l. 4. **confidential**, he repeats the word to emphasize the fact that Parliament had been kept in the dark.

l. 10. **endearing a name**, because it governs as representative of the people. In Burke's view the special function of the House of Commons was to control the executive in the interests of the people. He often complains that it had been perverted into a control on the people in the interests of the executive. It was to this perversion that he mainly attributed the discontents that prevailed in England.

l. 13. **under-pinning**, a technical term for strengthening the foundations of a shaky building. **treacherous**, which is not to be trusted, which may give way at any time. An arbitrary sovereign can have no liking for a representative body. If he supports it, it is only because he finds it useful, and, as soon as

he ceases to find it useful, his support will be withdrawn. A subservient House of Commons is, as Burke more than once pointed out, a terrible instrument of oppression in the hands of an arbitrary sovereign, not only on account of its large powers, but, still more, because it is difficult for the people to complain of any Act, however tyrannous, if it is passed by their own representatives. clumsy, awkward, unnatural. The House which specially represents the people should naturally look for support to the people. There is something very incongruous in a House, which is intended as a check on an arbitrary executive, looking to that very executive for support. *Clumsy* means, literally, benumbed. A man whose fingers are benumbed with cold does things awkwardly.

1. 18. **terror**, threats. It is used of the fear inspired and not, as usually, of the fear felt. Cf. 1. 23.

1. 22. **preposterously**, used in its literal sense of putting first what should come last.

1. 24. **either good or bad**, either of frightening them into submission, or of aggravating them to further resistance.

1. 26. **easy, good-natured**, etc. He uses the words to emphasize the subservience of Parliament to the Executive.

1. 29. **Your ministerial directors**, etc. The Ministers, who ought to be your servants, but whom you have allowed to become your masters, talked as loudly of the punishments which they were going to inflict on the Americans as a tyrant in a tragedy does of the punishment which he will inflict on all who attempt to thwart him, and then, assuming a piteous attitude to attract compassion, they went begging to America, with all the hypocritical pretences and piteous cries of a beggar, saying that the charge of taxing America had been brought against them by enemies who had party ends of their own to serve. **To bluster** means, literally, to blow loudly, to swagger. **mumping**, a cant term for begging. It means, literally, mumbling. **cant**, is from the Latin word for 'to sing.' It was applied first to a beggar's whine, and then signified generally hypocrisy. **To whine**, to cry piteously in order to attract compassion.

1. 36. **letter of attorney**, a letter or power of attorney gives to one man legal power to act as the representative of another. Burke means that Lord Hillesborough's letter authorizes him to say what the opinions of the Ministry are.

P. 19, l. 1. **authorized**, The word is suggested by the description of Lord Hillesborough's letter as a book of Scripture. The phrase '*authorized version of the Bible*' was a popular appellation of the version of 1611. The *Great Bible*, 1540, and Bishop's Bible (after 1572), actually bore on their titles '*authorized and appointed*,' but that of 1611 has never claimed to be '*authorized*.' The

meaning of the word authorized is legally or duly sanctioned or appointed. (*Murray's Dictionary*.)

P. 19, l. 6. the question is no more, etc., referring to the argument on p. 13, l. 27.

l. 8. The general declaration, You are bound to act on principle without any exception or limitation.

l. 11. tarred and feathered, referring to a mode of punishment borrowed from the Indian tribes on the American frontier. A man's body was first smeared with tar, and then stuck all over with feathers. If they break faith with America, they must suffer something which the Americans will recognize as a punishment.

l. 16. atlas-ordinary, technical names for various kinds of paper. Burke emphasizes the triviality of the object by describing it by names which are unknown to any but experts in a particular trade. Cf. p. 130, l. 23.

l. 23. distinctions, the distinction, namely, between legitimate trade duties and illegitimate internal taxation. The Ministry first allow such taxation to be inadmissible, and then impose it and punish resistance to it.

P. 20, l. 4. by a disclaimer of, by disclaiming.

l. 5. sentiment, in apposition to disclaimer.

l. 8. disorderly, out of order ; contrary to the rules of debate.

l. 16. his particular office, he was Chancellor of the Exchequer. Burke is speaking ironically.

l. 17. to be collected, to be inferred. We use 'to gather' in the same sense.

l. 20. I suppose, I will, for the sake of argument, suppose him to have turned back one page.

l. 23. the forty-fourth, the number prefixed to a statute indicates its position in the series of enactments passed in a year. A full indication of a statute also includes the year of a sovereign's reign in which it was passed.

l. 34. uncommercial, bad for trade.

P. 21, l. 7. charged, burdened with duties. without, used in its proper sense of beyond, or outside of.

l. 8. Why, the word implies that the answer is obvious. Used in this way the word expresses surprise, often with a mixture of remonstrance.

l. 18. There is nothing simple, etc. Cf. p. 10, l. 10 *seqq.*

l. 22. slurred over, passed over without notice.

l. 27. faith, pledge, promise.

l. 31. cant, hypocritical pretext. See on p. 18, l. 29.

P. 22, l. 4. **But, etc.** I shall be told, etc. It is the reply of an imaginary Minister to Burke's argument.

l. 5. **No!** This is Burke's reply to the argument.

l. 7. **or even the pretence,** Burke has already shown that tea was the last thing upon which, on commercial principles, a tax should be laid. See note on p. 8, l. 28.

l. 9. **by enabling the East India Company, etc.** See note on p. 11, l. 35. They thought that they would induce the Americans to pay the tax by making the tea cheaper with the tax than it had been without it. Ministers show a great liking for a tax when they surrender a certain revenue rather than repeal it.

l. 11. **hankering** means *longing*.

l. 13. **Whatever road, etc.** Look at the matter in any way you will, my conclusion is inevitable.

l. 14. **vista,** a long straight view like that down an avenue. It is the Italian word for a view. One form of the Italian participle of *vedere*, to see, is *m. visto*, *f. vista*.

l. 15. **your reasons, your pretences,** your real object of conciliating America, and your pretended object of benefiting English trade.

l. 16. **your consistency,** you cannot consistently leave standing one out of six taxes. **your inconsistency,** At the most, a repeal will only add one more to your many inconsistencies. If you say that it is inconsistent first to leave it standing and then to remove it, it was equally inconsistent first to make concessions to actual violence and then to refuse them for fear of possible violence.

l. 18. **it sticks in our throats,** we cannot get rid of the apprehension that. This is the supposed objection of a Minister, to which Burke replies, 'We do not know,' etc.

l. 24. **a turnpike,** an obstacle. It signifies properly a toll-bar, which a man cannot pass without payment. The word properly describes a *turnstile*, two bars fixed at right angles to revolve on the top of a post.

l. 32. Burke now proceeds to 'the second ground of deliberation.' See p. 3, l. 26 *seqq.*

P. 23, l. 3. **which I know, etc.** The chairman of a meeting is naturally impatient of unnecessarily long speeches.

l. 5. **I flatter myself, I am vain enough to think.** There is an appearance of vanity, or want of modesty, in calling one's own speeches instructive.

l. 8. **the act of navigation,** The original object of this act, as passed by Cromwell in 1651, was to transfer the profits of the carrying trade from Holland to England. In Burke's day it was

an accepted principle that the mother country should regulate the trade of her colonies for her own benefit, i.e. might prevent foreign nations from trading with them, and might prevent them from importing direct from foreign countries. All that can be said in favour of England's policy is that it was a liberal one for the time. The trade of the colonies was confined to ships built in England or America, and manned by crews of whom two-thirds were British sailors. There were certain 'enumerated' articles which they might sell to England only. If they wanted to import many foreign products, they were obliged to do it through England. They were forbidden to export, and, in some cases, even to produce commodities in which they could have undersold England. They were forced to buy certain commodities which were of great importance to them, sugar, molasses, and rum, from English colonies, though they could have bought them cheaper from French or Spanish colonies. **the corner-stone**, a common metaphor in the New Testament.

l. 9. **that policy ... monopoly**, You have deliberately abstained from imposing taxation in America. You have confined yourselves to regulating their trade; and all your regulations have been restraints, imposed with the view of securing the whole profits of the trade to yourselves. The word monopoly, lit. exclusive right or power of sale, naturally signifies exclusive possession; for the reason why one man only can sell a thing is that he alone has it to sell. Similarly to *monopolize* means to take exclusively to oneself.

l. 16. **without some degree of liberty**, unless they were allowed to find purchasers where they could. It was only by the sale of their own commodities that they could get money with which to pay for what they bought from England.

l. 17. **enumerations**, the term 'enumerated' was applied to those commodities subjected by the act to special regulations; e.g. the act *enumerated* certain articles which the colonies were forbidden to export to any country except England

l. 19. **paper chains**, commercial regulations.

l. 26. **directly**, etc., by Act of Parliament. The epithet *superintending* is applied to the English Parliament as opposed to the local colonial legislatures. Cf. pp. 60-1, and pp. 93-4.

l. 29. **a parliamentary revenue**, a revenue from taxes imposed upon America by the Imperial Parliament.

l. 31. **the plantations**, see note on p. 2, l. 6.

l. 33. I do not say, Sir, etc. A taxing act is not the less a taxing act, because it is not formally described as such, or because it does not contain certain words usually found in such acts; nor is it the mere presence of such words which gives it the form of law.

l. 36. **lawyers frequently argue from them,** The meaning and intention of an act are naturally elucidated by reference to the preamble which sets forth the occasion and the object of it. The truth of Burke's remark was strikingly illustrated in the debates in the House of Commons upon Gladstone's Bill for giving Home Rule to Ireland. When the Opposition objected to a clause in the Bill as an infringement of English sovereignty, the reply of the Government lawyers was that every clause must be interpreted subject to the expressed declaration in the preamble that that sovereignty is inalienable.

P. 24, l. 1. **what was your right,** Whether or no England had the right to tax America was a question which could not be answered, because, at the first establishment of the colonies, it had not been definitely considered, or made matter either of agreement or of legislation. And even if it could have been settled, nothing would have been gained. As Burke often argued, no questions are more barren than those relating to abstract rights. Even if England had the right, she certainly had not the power to enforce it.

l. 3. **a title, a descriptive heading.**

l. 5. **King Charles II.** This act, which was amended in the reign of William III., imposed a tax upon English ships which carried from colony to colony the 'enumerated articles' which, strictly speaking, ought to have been sold in England only. The act of George II., which Burke refers to, imposed a duty upon sugar, molasses, and rum imported by the Americans from the French colonies in the West Indies. England's object, of course, was to make profit out of those evasions of the Navigation Act which she could not altogether prevent.

l. 22. **prohibition, viz.,** of certain forms of trade except subject to payment of duties.

l. 35. **the weakness of government,** "As the Governor was usually paid by an annual vote of the local Assembly, and as he had very little patronage to dispose of, the Executive in the Colonies was extremely weak." (Lecky, vol. iii., ch. 11.) Townshend's object in taxing was partly to make the executive in America more dependent on the crown, by enabling the sovereign to pay the salaries of the colonial governors and judges.

P. 25, l. 4. **who are friends to, etc.,** who support the plan of raising revenue from America by taxation.

l. 12. **grew with their growth, etc.,** borrowed from Pope's *Essay on Man*, ii. 136—

"As man, perhaps, the moment of his breath,
Receives the lurking principle of death;
The young disease, that must subdue at length,
Grows with his growth, and strengthens with his strength," etc.

1. 17. **Their monopolist**, England.

1. 22. **the limits**, the limits imposed by the Navigation Act.

1. 23. **nature**, the word signifies what would have been apart from human interference. Their trade would not have grown either so rapidly or to such an extent without the assistance of English capital. A stock of money is required to buy materials and instruments of all kinds, and to pay labourers.

1. 24. **a hot-bed**, properly, rich soil under glass, in which plants are placed to hasten their growth.

1. 27. **commodious**, well supplied with comforts and conveniences.

1. 32. **thrown out**, The first Puritan settlers were obliged to leave England to escape religious persecution. Burke means to say that their progress was all the more wonderful because no arrangements whatever were made for them at the first.

P. 26, l. 1. **you actually created**, etc. By the application of English capital, as explained above. **objects of trade**, things to be bought and sold.

1. 9. **She had the substance**, "In the case of colonial legislation the royal veto was still not unfrequently employed. With the exception, however, of measures relating to commerce, colonial acts were rarely or never annulled, except when they tended to injure or oppress some class of colonists. As the Governor was usually paid by an annual vote of the Assembly, and as he had very little patronage to dispose of, the Executive in the colonies was extremely weak; and the colonists, in spite of the occasional exercise of the royal veto, had probably a much more real control over legislation than the people of England. Trial by jury, both in civil and criminal cases, was as universal as in England; but an appeal lay from all the highest courts of judicature in the colonies to the King in Council." (Lecky, vol. iii., ch. 11.)

1. 11. **in effect**, practically; in spite of the nominal sovereignty of England.

1. 14. **perfect freedom**, A reminiscence of a prayer in the English Church service, which begins—"O God, who art the author of peace and lover of concord, in knowledge of whom standeth our eternal life, *whose service is perfect freedom*," etc.

1. 20. **take the colonies through**, consider them all together.

1. 29. **a monopoly to the East India Company**, See note on p. 10, l. 31.

1. 31. **You do not**, etc. You do not accuse any one of disputing your right. We generally say 'to bring a charge against.'

l. 33. **a creek**, The word is connected with *crook*, and means, literally, *a bend*. Burke means that smuggling is carried on wherever the approach of a vessel is possible.

P. 27, l. 1. **that part of America**, Bernard was Governor of Massachusetts. Boston, the scene of the greatest disturbance, was in Massachusetts.

l. 9. **for**, we should say *of*.

l. 13. **of mere speculation**, because whichever way it is settled, the practice of England will not be affected. **at this day** means so long after the establishment of the other system. It is too late to change now.

l. 14. **by the same authority**, The profits from the American trade are justified as a payment for the protection received by the Americans. England must not ask to be paid twice over for the same service.

l. 15. **internal and external**, referring first to the trade of the colonies with one another, and secondly to their foreign trade.

l. 16. **internal taxation**, such, for example, as the Stamp Act. **external taxation**, customs duties.

l. 19. **have prospered exceedingly**, This is another reason for not making a change.

l. 23. **new in many things**, He alludes to the interference of the Court, which was specially marked with regard to America.

l. 25. **in your gallery**, that is, in the space which is reserved for strangers.

l. 27. **was established**, was asserted by the Government.

l. 29. **capable of seats in this House**, Burke implies that the real object of increasing the army was to increase the number of the supporters of Government in Parliament. The colonels would obtain their posts from the sovereign: seats would be provided for them in the House, and, in return for their military promotion, they would support all the measures which the sovereign approved.

l. 35. **Country gentlemen**, the upper class of landholders. In saying that they advocated economy and opposed a standing army Burke is merely stating a historical fact.

P. 28, l. 7. **playing before their eyes**, etc., holding out to them the prospect of.

l. 11. **a person**, Grenville.

l. 16. **He generally considered**, etc. He dealt with objects one by one, instead of considering their bearings upon one another. Burke compares him to a man who takes up a series of positions in front of a picture, from each of which he can only see one

detail in it. Such a man sees all the details in turn, but he never sees the picture as a whole.

l. 18. **imposed upon him**, viz., by the court.

l. 24. **at this time of day**, now that he is dead. **to lean on**, to be hard upon.

l. 30. **masculine**, strong.

l. 31. **a stout and resolute heart**, that is, he had the courage of his convictions. **undissipated**, literally, not scattered or wasted. Perhaps the nearest equivalent of the word 'to dissipate' in this sense is 'to fritter away.'

l. 36. **I will say this for him**, This apologetic phrase is introduced because ambition is generally regarded as a fault.

P. 29, l. 1. **generous**, the opposite of *mean*. **strain, breed**. Burke means that he sought place and power simply with a view to serving his country, not with a view to his own interests.

l. 2. **pimping politics of a court**, favour at court is to be won by rendering any services, however disgraceful, which the court may require. The expression is a strong one to denote the meanness of those who will consent to rise by such means. A pimp, or pander, is a man who provides women for men who will pay him or advance him.

l. 8. **not intrinsic**, because he was both able and honest.

l. 9. **though they do not alter**, a man who becomes a lawyer is not an entirely different person from what he would have been in another profession, yet he has certain peculiarities due to the mere fact of his being a lawyer.

l. 15. **very happily born**, endowed by nature with exceptional gifts. Burke's meaning may be stated thus:—A lawyer's business is to define the law as it exists, to determine whether certain acts are an infraction of that law, and, if they are, to press for the punishment of them. Thus Grenville argued—The Navigation Act forbids smuggling, the Americans practise smuggling, therefore they must be punished. This may be a very good argument for a lawyer, but it is not an argument for a statesman. He has to consider not only what the law is, but whether it is a law that ought to exist, or that it is wise in all cases strictly to enforce. Nor would he necessarily admit that a technical breach of law must be punished. Burke, for instance, argues that it was absurd to punish smuggling which was a proof of the very prosperity of trade which it was the object of the Navigation Act to bring about. To this we may add that in international disputes nothing is more irritating than for either party to insist upon that precise definition of rights and obligations which a lawyer always and, in his own profession, rightly requires.

l. 17. **he did not go**, etc., he did not acquire any experience of men and affairs. In this sense we talk of 'a man of the world.'

l. 23. **conversant in**, etc., familiar with. It is a Latin word signifying, literally, 'living with.' The official is accustomed to work entirely according to regulations, and to find every case which can come before him provided for in his regulations. He is therefore perplexed when any extraordinary crisis, such as the resistance of America, occurs. Burke's remarks recall the familiar story of the Hindu station-master who telegraphed to headquarters, "Tiger on platform; please arrange."

l. 29. **when the high roads**, etc., a flood is taken as the type of any extraordinary danger or difficulty.

l. 31. **the file**, the office records.

P. 30, l. 3. **to liberty**, Each country best knows its own resources, and is most interested in developing them. but too many, for the meaning of the expression see note on p. 11, l. 24. Burke means that, if this opinion had not been so widely held, England would have dealt more wisely with America. Regulations cannot create commerce, they can only control it when it has been created. Similarly, the imposition of a tax will not create money, it can only produce money to the state if those on whom it is laid are in possession of money already.

l. 5. **was his idol**, he positively worshipped it. An idol is an image worshipped as a god. We use the verb 'to idolize' in the sense of 'to have an excessive affection for.'

l. 6. **professed**, used in its literal sense of *openly declared*. We often use the word now to signify a declaration as opposed to a real conviction, and in the same way we oppose a man's *professions* to his practice.

l. 8. **well understood**, wise.

l. 9. **its principle**, viz., the absolute and uncontrolled right of England to fetter the trade of America.

l. 12. **defeat its own purpose**, its purpose was to enrich England by enabling her to monopolize the profits of the American trade. The greater the trade the greater the profit to England. In preventing the expansion of the trade, therefore, England was simply diminishing her own profits. She was killing the goose that laid the golden eggs.

l. 15. **sanguine**, hopeful.

l. 16. **its proper channels**, those allowed by the Navigation Act.

l. 19. **improper ... irregular**, according as it violated the spirit, or only the letter of the act.

l. 20. **It is the nature**, etc. The student should notice how Burke brushes aside the mere technical plea of the lawyer that

there has been a breach of the act. Greatness and irregularity, he says, go together. Men make allowance, for instance, for irregularities of conduct in men of great artistic gifts. They allow for a contempt of details and a neglect of form in men of great genius. What Burke means in the text is this :—By saying that trade is *great* or *brisk* we mean that people are willing and able to buy large quantities of commodities at a price at which it is profitable for the producer to sell them. In such circumstances, so strong is the desire of profit in the seller and the desire for commodities in the purchaser that no law will be able to prevent the commodities being bought and sold freely. No Customs Act in the old days could altogether prevent the smuggling of foreign spirits into Scotland. Every reader of Scott's novels knows this. Prohibition failed to prevent the illicit distillation and sale of alcoholic liquor in the United States. Buyer and seller will certainly find their way to one another if they are determined upon doing so.

22. *keep pace*, etc., bear some proportion to. By the *fair trade* Burke means the legitimate trade. The term *fair trade* later acquired a technical meaning. It was used to denote a policy of retaliation, according to which a country should allow those countries only to import their goods without duties who would concede the same in return. England used to impose no duties on the imports of any country by way of protection ; but many countries protected their own industries by imposing a tax on English imports. This was not thought to be *fair* to England.

1. 23. *It should stand*, etc. Here is another instance of the application, so frequent in Burke, of common sense to politics. In a like spirit he says elsewhere to those who would repress everything that does not accord with the highest ideal of conduct—“It is no inconsiderable part of wisdom to know how much of an evil ought to be tolerated, lest by attempting a degree of purity impracticable in degenerate times and manners, instead of cutting off the subsisting ill practices, new corruptions might be produced for the concealment and security of the old.” We must be content, to a great extent, to take men and things as we find them ; and the first thing which a statesman ought to do is to acquire a knowledge of men and affairs. Someone has well said that the most successful achievement in politics can only be a second best. The loyalty of the colonies and their prosperity were largely due to the fact that England had left them alone. Grenville lost America, it was said, because he read the American despatches, which none of his predecessors had done.

1. 28. *exquisite*, careful ; minute ; literally, searching. The ordinary meaning of the word is *excellent*, because that which is excellent can only be found by careful search.

1. 32. *first lord of the admiralty*, Grenville succeeded Bute as Prime Minister in 1763. He was both Chancellor of the Ex-

chequer and First Lord of the Treasury. The Board of Admiralty, which manages all matters connected with the navy, is composed of eleven commissioners with the First Lord and five Sea Lords at their head. The First Lord is always a Cabinet Minister. The real responsibility for the business of the department rests entirely upon him. The Sea Lords are subordinate to him, a special department of the work of the board being assigned to each of them. The Treasury Board, which is the supreme revenue department, consists of the First Lord, the Chancellor of the Exchequer, and five Junior Lords. The First Lord of the Treasury has no departmental duties, and is generally the Prime Minister. The powers of the board nowadays are really concentrated in the hands of the Chancellor of the Exchequer.

P. 31, l. 1. **Much greater**, etc. "When Grenville succeeded to power on the fall of Bute he took up the design, which had been probably contemplated by his predecessors, of planting an army in America, and supporting it by taxes levied by the British Parliament. His thorough knowledge of all the details of office, his impatience of any kind of neglect, abuse, and illegality, as well as that complete want of political tact which teaches statesmen how far they may safely press their views, foreshadowed a great change in colonial affairs. He resolved to enforce strictly the trade laws, to establish permanently in America a portion of the British army, and to raise by parliamentary taxation of America at least a part of the money which was necessary for its support. These three measures produced the American Revolution." (Lecky, vol. iii., ch. 11.)

l. 6. **under the construction**, etc., when the act was interpreted and enforced as it was by Grenville.

l. 8. **new enumerations**, see note on p. 23, l. 17.

l. 9. **which in a manner**, etc., which may almost be said to have put an end to.

l. 11. **courts of admiralty**, so called as having jurisdiction in the case of offences committed on the sea. "The jurisdiction of the Courts of Admiralty, which tried smuggling cases without a jury, was strengthened and enlarged, and all the officers of ships of war stationed on the coasts of America were made to take the custom-house oaths and act as revenue officers. In addition, therefore, to the old race of experienced but cunning revenue officers, the repression of smuggling became the business of a multitude of rough and zealous sailors, who entered into the work with real keenness, with no respect of persons, and sometimes with not a little unnecessary or excessive violence." (Lecky, vol. iii., ch. 11.) By the "improper circumstances" Burke alludes to their receiving part of the fines which they inflicted. Cf. p. 119, ll. 6, 7, and ll. 16, 17.

1. 12. **extinction of the paper currencies,** Being pressed for money during the war, the Colonial Assemblies had issued paper currencies and made them legal tender, i.e. a form of money which the law obliges creditors to take as payment of debts. Before paper money came into use all over the world, people would accept it at its nominal value so long as they believed that they could obtain gold or silver for it whenever they wished. The Americans, of course, had no such confidence, because the paper was issued not as representing gold, but in place of it. It therefore became depreciated, that is, a note for ten dollars was not worth as much as ten actual dollars, because ten actual dollars could not immediately be obtained in exchange for it. It was only a promise on the part of Government to pay at some distant date. Grenville, therefore, no longer allowed the paper to be legal tender. Of course, trade is dislocated by any sudden alteration in the amount of money, because buying and selling are only possible by means of money.

1. 13. **the quartering of soldiers,** The Americans, as Lecky points out, objected to Grenville's proposal to place a force of ten thousand men permanently in America, not only because they objected to a standing army as such, but because they suspected that this force would be used to aid the enforcement of the regulations against smuggling.

1. 27. **plantation parliamentary revenue,** a revenue to be raised from the colonies by taxes imposed by the English Parliament.

1. 29. **a monopoly,** That, namely, of the profits of the American trade, which was secured to England by the Navigation Act.

1. 32. **the title, etc.** See p. 24, l. 3.

1. 35. **just and necessary,** Just, because America had profited by the recent war; necessary, because England could not afford to bear the whole expenses of that war. The population of England was then only eight millions.

P. 32, l. 3. **policy,** the intention of the Government.

1. 9. **a beginning of sorrows,** the words are from the New Testament (*Matt.* xxiv. 8).

1. 11. **charging,** burdening.

1. 14. **in which, etc.,** which alone gave them any importance. If their purses were to be at the mercy of England they would be no better than slaves.

1. 19. **valued themselves, prided themselves:** took credit to themselves.

1. 23. **cried out for,** loudly demanded. Burke's statement is literally true. **cried out,** loudly complained.

l. 29. **touched it but very tenderly**, remonstrated very mildly. To touch *tenderly* means to touch gently, as, for instance, one would touch a painful wound. It was not a direct attack, they did not openly dispute the right of Parliament.

l. 30. **novices**, beginners ; literally, *new* to the business.

l. 35. **this observation**, viz., that the Americans did not object to the principle of the Act of 1764.

P. 33, l. 5. **circulation**, a current report.

l. 6. **a malignant intention**, viz., of discrediting the Americans. It is said that England did not tax them until they had refused to tax themselves.

l. 8. **the colony agents**, men nominated by the colonies to look after their interests in England.

l. 13. **that were had**, This is not an expression that we should use. We should say, 'that were held,' or 'that took place.'

l. 14. **that they should agree**, etc., that they should choose the tax which the English Parliament should impose.

l. 17. **on requisition**, a technical term, signifying at the demand of the Crown.

l. 18. **of the day**, now current.

l. 19. **no general powers**, Their general powers are those powers which they could exercise without a specific reference to America.

l. 21. **If you compare dates**, If you see what a short interval there was between Grenville's first enunciation of his policy and his introduction of the Stamp Act you will see that there was not time for communication with America. Burke seems to be mistaken. It is, at any rate, certain that the people of Massachusetts understood that such an offer had been made.

l. 36. **is as much beforehand**, owes as little. The phrase is properly applied to one who has more than he will require for his expenses.

P. 34, l. 1. **sinking**, a technical term for 'paying off.' A sum accumulated for the payment of debt is called 'a sinking fund.'

l. 7. **He was of opinion**, etc., on the ground that if the sovereign could obtain money from any other source than the House of Commons he would be independent of the control of that House. The power of the purse was given to the House specially as a check upon the sovereign. Burke differed from Grenville as to the competence of the American Assemblies in this matter. See below, p. 112.

l. 14. **a considerable ... merchant**, probably Beckford, one of the members for the city of London. He was one of the few opponents of the taxation of America, and one of the still

smaller number who spoke against it (Bancroft, v. 191, 195). Beckford died in 1770, which explains the words "whom I am truly sorry," etc. (Winkelman).

l. 17. **represented against**, spoke against.

l. 24. **falsehood has**, etc., as soon as one lie is refuted another is started.

l. 32. **an order of council**, i.e. of the Privy Council, or, what in this case is the same thing, of the Cabinet. The Cabinet is not recognized in the English Constitution. Technically it is a section of the Privy Council, so that the orders of the Executive are styled the orders of the Sovereign in Council. Halifax had been directed at a meeting of the Cabinet "to receive the king's pleasure with respect to the time and manner of laying the papers before Parliament." The ground on which Parliament refused to receive the remonstrances was that the House never received a petition against a money bill. (Bancroft, iv. 161 and 174.) Burke uses the expression "put *under* the table," because 'to lay papers *upon* the table' is the regular phrase for presenting papers to the House.

l. 35. **regular knowledge**, official information. It is contrasted with what members might have learnt privately.

P. 35, l. 1. **to give that House its due**, the expression is ironical. It is not to the credit of the House that it was unwilling to receive petitions. Burke means that the House must share the blame with the Ministry; or, if the House had insisted on seeing the petitions, the Ministry could not have refused them. Cf. the expression, 'was not suffered or did not suffer itself,' in l. 9.

l. 16. **to lay our hands**, etc., as a sign of sincerity.

l. 25. **a common friend**, this is the correct expression, and not the common 'mutual friend.' Common signifies that which belongs to a number of persons. Mutual expresses something done or felt by a number of persons for one another. The friend alluded to is probably William Fitzherbert, President of the Board of Trade.

l. 26. **a very noble person**, Lord Rockingham. Burke became his private secretary.

l. 28. **suitable to**, etc., such as became my very moderate abilities and claims. The word talent signifies literally a sum of money. Our abilities, considered as gifts, for the right use of which we are responsible to God, are called talents from a parable in the New Testament, in which a man, on the eve of a journey, entrusted certain talents to his servants, and on his return rewarded them according as they had successfully invested them at interest. A severe rebuke was administered to one servant who, instead of investing his talent, had buried it in the ground (*Matt. xxv.*).

P. 36, l. 3. **commanders of men of war**, who objected to being employed in what was not their proper business. See on p. 31, l. 11.

l. 6. **the Spanish trade**, the trade between America and the Spanish colonies. The duties imposed on imports from these colonies were much resented; because the Americans not only found in those colonies a valuable market for their timber, but also received from them the gold which they required to pay their debts to England (Lecky).

l. 10. **veteran body of office**, the king's friends. Men who held office by favour of the court were safe in opposing Rockingham's policy, because the King did not approve of it.

l. 13. **was**, was represented as being.

l. 14. **violation of treaties**, the trade between England and the Spanish colonies was limited by treaty. Spain, of course, desired to monopolize the trade of her colonies just as much as other countries did.

l. 15. **the corps**, the body. Burke purposely uses the word, which properly signifies a body of soldiers, to suit the military metaphor in *array*.

l. 21. **he had known before**, The treaties with Spain concerned the trade between England and the Spanish colonies, not between these colonies and America. Their trade, therefore, did not violate *public law*, which means here regulations affecting two nations, England and Spain, as contrasted with the law enforced by a government within its own territories. The clauses of the Navigation Act, and special enactments with regard to trade, could be altered by Parliament at any time. Grenville himself had lowered the duty on imports from the Spanish colonies. Rockingham lowered it still further, besides also lowering the new duties on commodities which Grenville had imposed.

l. 27. **indemnity**, lit. security against loss or punishment, i.e. pardon for the violation of the law.

l. 35. **the glory of their predecessors**, who, it was urged, had vindicated the authority of Parliament by taxing the insubordinate Americans.

P. 37, l. 5. **I do not very well know**, etc. Cornwall had insinuated by his question that Rockingham's policy was not his own, but that he was frightened into it by Pitt.

l. 22. **an empty acknowledgment**, a tax which, though unprofitable, would yet be a sign of England's right to tax if she pleased.

l. 26. **were not entire**. It was Pitt's contention that 'taxation is no part of the governing or legislative power.' He said—
"The taxes are a voluntary gift and grant of the Commons

alone. In legislation the three estates of the realm are alike concerned, but the concurrence of the Peers and the Crown to a tax is only necessary to close with the form of a law. The gift and grant is of the Commons alone. The distinction between legislation and taxation is essentially necessary to liberty. The Commons of America, represented in their several Assemblies, have ever been in possession of the exercise of this their constitutional right of giving and granting their own money. They would have been slaves if they had not enjoyed it. At the same time this kingdom, as the supreme governing and legislative power, has always bound the Colonies in everything except that of taking their money out of their pockets without their consent." (Lecky.)

1. 30. **equity, fairness.**

1. 33. **The option, the choice.** They decided that the repeal should be total and not partial; and that it should be made on the principle of expediency, not on the principle of legislative incompetency.

1. 36. **the declaratory act, this,** which accompanied the repeal of the Stamp Act, "affirmed the right of Parliament to make laws binding the Colonies 'in all cases whatsoever,' and condemned as unlawful the votes of the colonial Assemblies which had denied to Parliament the right of taxing them." (Lecky.)

P. 38, l. 1. **crayoned out, sketched out.** It is a French word. *Crayon*, Lat. *creta*, is the French word for *chalk*, which is used for drawing. Mahon says that the King's speech did little more than commend the whole subject of America in general terms to the wisdom of Parliament.

1. 7. **to fill the vacancies,** Vacancies are created not only by the death and resignation of members, but also by the appointment of a member to Ministerial office. By ordaining that a newly-appointed Minister must be re-elected the law gives to the people a check upon the king's choice of Ministers. Before a new election can be held a *writ*, or order to hold an election, must be issued by the Speaker to the returning officer of the district.

1. 10. **bon ton, the fashionable language.** The words are French, and mean literally good style or manners.

1. 11. **unsystematic, not dealing with the whole business on one principle.**

1. 13. **such a ministry, that, namely, of Lord North, which, instead of retaining or abolishing the taxes imposed by Townshend, repealed all but one.**

1. 16. **would have cut, etc.** In the citadel of Gordium, in Phrygia, there was preserved a car which was said to have

belonged to the primitive kings of the country. The yoke was fastened to the pole by a very complicated knot. It was believed that any one who could untie the knot would succeed to the sovereignty of the country. Alexander the Great, after a vain attempt to untie it, cut the cord in two with his sword. 'To cut the Gordian knot' accordingly means to solve a difficulty by strong measures. in the heroic style, literally in the manner befitting a hero, or one who is above the ordinary standard of men. So it is applied to whatever shows extraordinary strength, decision, or boldness.

l. 17. **Either measure**, viz., a partial concession or a disavowal of the right.

l. 19. **was adopted**, that is, when the Cabinet in council resolved to propose it to Parliament.

l. 21. **It became necessary**, etc., in order to persuade Parliament that the repeal of the act really was expedient. Burke refers to the presentation to Parliament of recent correspondence with America; to the presentation of petitions from English manufacturing towns who were suffering by the interruption of American trade; to the evidence, more particularly that of Franklin, the American, which was heard at the bar of the House. An account of Franklin's evidence, which was very important, is to be found in Mahon's *History of England*, vol. v., and in Bancroft's *History of the United States*, vol. iv.

l. 23. **knight's service**, very valuable service. Under the feudal system land was held on condition of rendering military service to the lord. The knight's was the highest form of such tenure and service.

l. 25. **it removed prejudices**, viz., against the Americans, by showing that they had real grievances.

l. 28. **friend under me**, Dowdeswell, who was sitting on the bench immediately below Burke. He was Chancellor of the Exchequer in Rockingham's Government. **a right honourable gentleman**, Conway, Secretary of State for the Colonies. He was the Ministerial leader in the House of Commons.

l. 29. **if he will not reject**, Conway, having since gone over to Lord North, might not care to be reminded that he had helped to repeal the Stamp Act. Cf. the expression, 'with a melancholy pleasure,' on p. 41, l. 15.

l. 31. **garbled**, mutilated, so as to make it support a particular theory. The word literally means only *sifted*.

l. 33. **in the committee**, viz., of the whole House. See on p. 2, l. 23.

l. 35. **will redeem**, will atone for.

P. 39, l. 1. mercenary Swiss of state, paid supporters of the Court. The term mercenary is properly applied to troops who served in foreign armies, as bodies of the Swiss often did, for hire.

l. 2. augurs, a Latin word (properly *avigur*, from *avis*, a bird) signifying one who foretold the future from observations of the flight of birds. It means, generally, a prophet.

l. 3. embattled legion, etc., the whole 'veteran body of office,' p. 36, l. 10. *Embattled* means drawn up in battle array.

l. 5. if it had been so permitted, if the policy of taxing America had not been revived by Townshend.

l. 8. in the circulation of the season, in the common talk of the season. People of wealth and position generally resided in London for some months in the year, which were called the season, a period naturally marked by a perpetual round of festivities.

l. 9. hazarded declamations, bold rhetoric. Burke means that the statement had been made not only by irresponsible persons outside the House, but that even members had been bold enough to make it in the House.

l. 12. Interested timidity, etc. It is as disgraceful for a Minister to shrink from introducing a measure for fear of losing office as it is for a soldier to run away in battle. But a Minister shows the highest degree of courage when he risks unpopularity to introduce a measure, because he is afraid that, if it is not introduced, his country will suffer. In his *Reflections on the Revolution in France*, Burke contrasts *moral* with *complexional* (physical) timidity.

l. 18. were not afraid, etc. They had the courage to resist the influence of the Court, to which even Chatham (the eyes of eagles) had been known to yield. The allusion is to 'the eagle eye' of Chatham.

l. 20. blenched is the same word as *flinched*. The metaphor of the eagle, which, it is said, can look at the sun, explains the application of the words 'glaring and dazzling,' words descriptive of blinding light, to the influence of the Court.

l. 21. not the most scrupulous, that is, one of the most unscrupulous. It was an opposition which would not hesitate to adopt any measures by which the Government might be overthrown.

l. 23. the usual supports, what these were is explained on p. 40, l. 10, *seqq.* The Sovereign ought to identify himself absolutely with his Ministers. George III. did not do this. He let it be known that holders of office might vote against the Ministers and yet retain their offices. In the *Present Discontents* Burke

dwells at great length on the evils which resulted from this opposition of the Court to the Ministry.

l. 27. **He did this**, etc., because, as I have already explained, the power of England over America was not, in Chatham's opinion, absolute.

l. 29. **It is now given out**, etc. With the purpose of discrediting the Ministry the King's friends are now as usual sent out to spread the report, etc.

l. 32. **the reporters**, those who spread this report.

l. 33. **the honourable gentleman**, Conway. in the **American committee**, when the affairs of America were being discussed in Committee of the whole House.

P. 40, l. 3. **as if the industry**, etc., with the idea that the lie will be believed if it is told often enough. Arguing that there is no smoke without fire, people think that there must be some foundation for a statement which they hear repeated wherever they go. "Throw mud enough, some of it will stick."

l. 5. **complexion**, character. This word, which we now use to describe the appearance of the face, formerly signified either character or physical constitution.

ll. 10, 11. **out of... connexion**, that is, outside that particular section of the Whig party to which Rockingham belonged. Lord Egmont was First Lord of the Admiralty in Rockingham's Government.

l. 13. **that did not look**, etc. They did not act straightforwardly. They gave such votes and made such speeches as they thought would incline the King, if Rockingham lost office, to include them in the Ministry that succeeded him. **To warp** means properly to bend or twist.

l. 14. **new and menacing appearances**, that is, signs that he was to be opposed by those on whose support he ought to have been able to rely.

l. 17. **The household troops**, 'the mercenary Swiss of state,' p. 39, l. 1.

l. 20. **endeavoured to undermine**, etc., tried to destroy (lit. to sap) their influence in Parliament and the country (lit. *the trust* placed in them), and took up a position which must be fatal to the measure which they wished to have it thought that they favoured. "The task of the Ministers in dealing with the question was extremely difficult. The great majority of them ardently desired the repeal of the Stamp Act; but the wishes of the King, the abstention of Pitt, and the divided condition of parties, had compelled Rockingham to include in his Government Charles Townshend, Barrington, and Northington, who were all strong advocates of the taxation of America, and Northington took an

early opportunity of delivering an invective against the Colonies which seemed specially intended to prolong the exasperation." (Lecky.)

l. 27. **traps and mines**, hidden and unsuspected dangers.

l. 28. **all the elements of**, etc., that is, whatever constitutes: all that it depends upon.

l. 35. **no managements**, For Burke's use of the word, see on p. 4, l. 33. He means here that he was uncompromising. **He secured no retreat**, he did not provide for his own safety in case he should be defeated.

P. 41, l. 2. **who led us**, The man to whom the House looks as the responsible head of the Government is called 'the leader of the House.' The allusion is to Conway. Rockingham, of course, sat in the House of Lords.

l. 3. **the duplicity**, referring to the accusation mentioned on p. 39, l. 32.

l. 6. **phalanx**, a Greek word signifying a close compact mass of infantry.

l. 8. **with so much spirits**, so hopeful.

l. 9. **It was a time**, etc. It was an occasion which called for strength and boldness.

l. 13. **our arms are tied**, etc., we are powerless.

l. 15. **with a melancholy pleasure**, because, though it is pleasant to think how well he behaved that day, it is sad to think that he has since deserted to the enemy.

l. 18. **crammed into your lobbies**, crowded into the anterooms of the House. Only members are allowed within the actual precincts of the House.

l. 19. **almost to a winter's return**, etc., they waited almost until sunrise, and that, too, at a time of year when the sun rises latest. The vote was taken in the early hours of the morning of March 18, 1766.

l. 28. **joined to his applause**, united in applauding him.

l. 30. **Hope elevated**, etc. The words are borrowed from Milton, *P. L.* ix. 633, where he is describing the confidence and elation with which the devil, in the form of a serpent, proceeded to tempt Eve to eat the forbidden fruit.

l. 33. **the face of an angel**, The words are used in the Bible, *Acts* vi. 15, to describe the appearance of the Christian Stephen when accused of blaspheming the Jewish law and temple. He was stoned to death. The word martyr is the Greek word for a

witness. It is properly applied to those who prove the sincerity of their faith by dying for it. Stephen was stoned to death. The comparison of Conway to Stephen is an extravagant hyperbole. It recalls Macaulay's amusing description of the scene in the House when the Reform Bill of 1830 was passed—"And the jaw of Peel fell; and the face of Twiss was as the face of a damned soul; and Herries looked liked Judas taking his necktie off for the last operation."

P. 42, l. 2. **visions**, a hope not realized is like a dream.

l. 8. **of both parties**, those represented by Grenville and Pitt. The *object* of the first was to vindicate the authority of Great Britain, of the second to conciliate America. The Declaratory Act was an assertion of England's authority. The repeal of the Stamp Act was an act of conciliation. Their *scheme* differed from that of Grenville, because they asserted England's power by an Act of Parliament instead of by continuing the taxes; and from that of Pitt, because they repealed the taxes on the ground of fairness, and not on the ground of want of power or right to retain them.

l. 17. **we**, England, or the majority in Parliament.

l. 26. **the ancient policy**, that of controlling trade.

P. 43, l. 13. **an amendment to the address**, the address is the reply of Parliament to the Speech from the throne, or declaration of ministerial policy, with which Parliament opens. It is moved and seconded by two supporters of Government, and is little more than a repetition of the Speech itself. Amendments may be proposed to it, adding to it or taking from it, and the debate on the address is made an occasion for challenging the policy of Government, or the conduct of particular Ministers.

l. 27. **to qualify**, to describe. Cf. p. 46, l. 11.

l. 32. **support**, viz., to the Crown.

l. 36. **the warmth of**, etc., the excited imagination of the public.

P. 44, l. 2. **on your table**, See on p. 34, l. 32.

l. 4. **the new court taxes**, Burke alludes to the fact that the policy of taxing America was favoured by the Court.

l. 9. **refuse the authority of**, refuse to believe.

l. 15. **they are pleased to term**, the phrase implies that, in the opinion of the writer, the term was not the proper one to be applied.

l. 21. **enforce itself**, as would be the case if the Americans paid the duty because they could not do without the papers on which it was payable. "The Act made it necessary for all bills, bonds,

leases, policies of insurance, newspapers, broadsides, and legal documents of all kinds to be written on stamped paper, to be sold by public officers at varying prices prescribed by the law." (Lecky.)

1. 25. of assemblies, i.e. of the local legislative assemblies in America. Burke does not at all exaggerate the opposition provoked by the Stamp Act.

1. 30. the powers of parliament, the powers of the English Parliament over America.

P. 45, l. 2. archives, records. It is from the Greek *archeion*, a public office, and means properly the place in which public records are kept.

1. 3. if you are not ... lost to, if you have not abandoned. Burke means, if you will believe any lie that is current rather than the official information supplied to Parliament. Cf. 'regular knowledge,' p. 34, l. 35.

1. 6. this vermin, etc. These noxious fellows who spread stories that seem likely to be acceptable at Court, when one of their lies is exposed, take refuge in another. But I will defeat them by taking up every one of their stories and showing each of them to be false. Following them through their lies is compared to hunting rats or other vermin.

1. 9. when they attribute, when they say that the repeal of the Stamp Act caused the disturbances which occurred before the Stamp Act was repealed.

1. 12. which is, to attribute, etc. They say that the troubles in America caused by the unwise policy of the Government were due to the speeches of the English members of Parliament who opposed that policy. If Parliament, it was said, had been unanimous in support of the Stamp Act, America would not have dared to resist it.

1. 19. a dean, Tucker was Dean of Gloucester. A dean is the first clergyman in a cathedral church, i.e. a church which has a bishop's throne (Greek, *kathedra*, a seat). his earnest labours, the industry with which he labours to popularize views acceptable to the Court will probably be rewarded by further promotion. The final *ric* in the word bishopric signifies a kingdom. A bishopric is the district technically called a *see* (Latin, *sedes*, a seat) presided over by a bishop, a word which signifies, literally, an overseer. - The metaphor of the vineyard is suggested by a parable in the New Testament. Burke was probably provoked by the spirit in which Tucker, an extreme Tory, spoke of the Americans. He regarded them as animated by a spirit of hostility to England, and as being always on the look out for an opportunity of asserting their independence, and absolutely unwilling to contribute anything to the expenses of the empire or

the cost of their own defence. Tucker argued that England's wisest policy was to grant them independence. They were simply a source of weakness to England, and, as regards the profits of trade, he argued, and quite rightly, that even if America were made independent, the cheap markets of England would still attract American buyers. The Navigation Act had not really prevented trade between America and foreign countries. Trade will find a way for itself wherever it is profitable, and the more freely America was allowed to produce and to sell the more money she would have to spend in England. Burke's taunt that Tucker was looking for a bishopric seems undeserved. He certainly would not conciliate George III. by advocating the cession of America. Tucker's Tracts on commercial and political subjects show him to have been a thoughtful and well-informed man.

l. 21. In all the papers, etc., among the mass of papers that has been presented to this House.

l. 23. at your bar, the bar is a rod drawn across the entry to the chamber in which Parliament sits, and to which members only are admitted. Witnesses, giving evidence to the House, have to stand behind this bar.

l. 26. As to the fact, Burke is quite correct. The Bill for taxing America attracted no notice in England, where public attention was taken up by the affair of Wilkes.

l. 32. There was but one division, etc., that is, not more than one objection was seriously pressed against the Bill. A division is a taking of votes.

P. 46, l. 1. in town, in London.

l. 9. change in the ministry, when Rockingham succeeded Grenville.

l. 15. distempered, diseased. Burke is comparing the power of the Government to the strength of a lunatic, which he uses to his own hurt.

l. 36. resolves, resolutions.

P. 47, l. 10. Thus are blown, etc., thus easily do I dispose of the short-lived lies spread by courtiers. This is the end of the contemptible stories of the worthless servants of a bad cause. They have spread their reports in every part of the country which is not sound, vainly hoping that, by being constantly repeated, they might pass for public opinion. Burke compares the spread of a lie to the flight of flies born of the maggots which are generated in putrifying matter.

l. 13. in vain hopes, etc. Cf. "Because half a dozen grasshoppers under a fern make the field ring with their importunate chink, whilst thousands of great cattle, reposed beneath the shadow of the British oak, chew the cud and are silent, pray do

not imagine that those who make the noise are the only inhabitants of the field ; that, of course, they are many in number ; or that, after all, they are other than the little shrivelled, meagre, hopping, though loud and troublesome insects of the hour." (Burke, *Reflections on the Revolution in France.*)

1. 26. the **vantage-ground**, the position of superiority. It is Mr. Cornwall's statement, and not Burke's, that requires to be proved.

1. 32. **is so heavily a culprit**, Burke refers to the proposal to close the harbour of Boston. See Introduction.

1. 36. the **lenitive**, the conciliatory measure ; literally, something which soothes. The words lenitive, administration, ingredients, suggest the administration of a soothing draught by a doctor.

P. 48, l. 3. **rugged**, From rough people we do not expect much sensibility. The reader will find information with regard to the intellectual and moral condition of the colonists in Lecky's 11th chapter.

1. 13. the **requisition**, This was made by the British government.

1. 20. **chicane**d upon, cavilled at. To *chicane* means properly to wrangle. There was some opposition to granting this compensation ; and the Americans insisted on a guarantee of indemnity to those who had been engaged in resisting the Stamp Act.

1. 25. **by legislative gravity**, by the Colonial Assemblies, who, after a serious and cool consideration of violence which had been committed in a moment of popular excitement, awarded damages to the sufferers.

1. 26. **in various ways**, as by erecting statues to Pitt and to the King.

1. 27. **I am bold to say**, I venture to say.

1. 32. **After this experience**, etc. A sentence like this will help the student to understand why the Parliamentary speeches of Burke have found a permanent place in literature. Burke regarded facts as illustrating principles or laws. The mere events of one century may have comparatively little interest to the centuries that follow, but the lessons that a wise man drew from them have a permanent value.

P. 49, l. 1. the **third period**, The first period was that of commercial regulation ; the second that of taxation ; the third that of repeal.

1. 4. **Another scene**, etc. New ministers initiated a new policy.

1. 7. **a name that keeps**, etc. The reference is to the spirited foreign policy of Chatham.

l. 10. *Clarum*, etc. The Roman poet Lucan makes Cato use these words of Pompey (*Pharsalia*, 9. 202). Chatham was born in 1708, and died in 1778. He first entered Parliament in 1734. He was virtually Prime Minister of England, controlling her foreign policy and directing her wars, from 1757 to October, 1761, when his 'fall from power' occurred. It was due to the dislike of George III., to the jealousy of the Whigs, and their dread of the expense of his policy. In 1766 he formed the Ministry which Burke describes in the text. But ill-health prevented him from attending to business, and he resigned in 1768. He did not again hold office.

l. 16. *the vast space*, etc., the amount of attention which he attracts.

l. 18. *canonizes*, literally, makes a saint. In the Catholic Church the Pope can *canonize* or raise to the rank of a saint, that is, hold up to the veneration of the Church, any of its members remarkable for extraordinary holiness of life. It is a common saying, *De mortuis nil nisi bonum*, "Say nothing but what is good of the dead." Similarly, Burke says, good taste forbids us to say anything to aggravate the sufferings of a man in misfortune. As the saying goes, "Do not hit a man when he is down."

l. 19. *I am afraid*, etc. Flattery is only for small men.

l. 20. *Let those*, etc. This is explained on p. 51, l. 2. The flattery consisted in saying that they followed him in everything: the treachery lay in concerting in his absence measures that were hateful to him.

l. 24. *by general maxims*, He did not sufficiently allow for the differences that exist between men, or for difference of circumstances. The maxim of Chatham, of which Burke is thinking, was that whenever men combine together they do it to gain something for themselves. Burke means that we are not to argue that, because some combinations are for selfish ends, there cannot be a political party whose aims are disinterested. Such a view is 'not the most indulgent,' i.e. is very unfavourable, to mankind, and is 'a little too general.' There are parties and parties. Unfortunately, however, Pitt acted on his own view, and composed his Ministry without reference to party connections. The result was 'mischievous to himself,' because the strength of a Minister lies in the members of his Government agreeing with one another and with himself. And it could hardly be 'mischievous to himself' without also being 'fatal to his country,' because if his Ministers had concerted such measures only with regard to America as he would have approved the ruinous policy of taxation would never have been revived. Burke held strong views as to the necessity of party organization and on the duty of loyalty to one's party. He argued that men can only act effectually by acting in concert; that they cannot

act in concert unless they can act with confidence; and that they cannot act with confidence unless they are bound together by common opinions, common interests, and common affections. See the close of his *Present Discontents*.

l. 32. **checkered**, literally, marked with squares like a chess-board. **speckled**, spotted. The student will, of course, see that Burke's object is to emphasize, by multiplication of phrases, the variety of political opinions within the Cabinet. a piece of joinery, etc. These words, taken from the art of the carpenter, prepare us for the pun, in the following sentence, on the word cabinet, which means a box as well as a Ministry.

l. 33. **crossly indented**, inlaid with pieces of wood of different colours, cutting one another at right angles. This expresses the collision of views in the Ministry. **whimsically dove-tailed**, made of boards that are fitted together in a fanciful way. Fastening boards together is called dove-tailing, from the resemblance of the fitted ends of the board to a dove's tail (◁) (Skeat).

l. 34. **variously inlaid**, inlaid with different materials of varying colours. If we sink a piece of wood of one kind into wood of another kind so as to make the surface of the first level with that of the second, the latter is said to be inlaid.

l. 35. **Mosaic**, ornamental work made with small pieces of different coloured marbles. It is a Greek word, and signifies, literally, belonging to the Muses, that is, artistic. **tessellated**, made with small blocks of stone. *Tessella* in Latin meant a small cube. **without cement**, because the Cabinet was not held together by common views and objects in politics.

P. 50, l. 1. **republicans**, men who were averse from turning the constitutional government of England into a personal despotism.

l. 4. **at the same boards**, in the same departments or offices.

l. 6. **you have the advantage of me**, you know me but I don't know you. These are all modes of asking a man his name.

l. 7. **I venture to say**, etc. The allusion is said to be to the right Hon. Lord North and George Cook, Esq., who were made joint paymasters.

l. 10. **pigging together**, huddled together like pigs. **heads and points**, one man's head next his neighbour's feet, so as to get more room. A **truckle-bed** was a small bed upon wheels, which, during the day, could be run under a larger bed. This explains the phrase 'to truckle under.' The truckle-bed was generally occupied by an inferior.

l. 17. **public cares**, attention to public business.

l. 19. **his plan**, viz., of forming a Cabinet.

l. 20. he was no longer a minister, he had no influence or power. The strength of a Minister lies in this, that he is the most influential among a number of men who all share his views. Consequently, even when he is absent, nothing is done by his colleagues which it is thought that he would not approve.

l. 22. his face was hid, etc. "In a little wrath I hid my face from thee for a moment; but with everlasting kindness will I have mercy on thee, saith the Lord thy Redeemer." (*Isaiah*, liv. 8.) his whole system, it was as impossible to foretell what the Ministry would do as it is to foretell whither a ship will drift that has neither chart nor compass. A navigating chart shows the coasts, islands, reefs, depths of the sea, currents, etc.

l. 25. were admitted to seem, etc. They were Ministers only in name. Pitt, in reality, directed everything. Conway, Camden, and Shelburne were all in Pitt's Cabinet; and they all shared his opinions on the American question. Pitt's influence declined, partly owing to his illness, and partly also to his taking a peerage. "Illness speedily withdrew Chatham from public affairs, and in the scene of anarchy which ensued it was left for the strongest man to seize the helm. Unfortunately, in the absence of Chatham, that man was unquestionably the Chancellor of the Exchequer, Charles Townshend." (Lecky.)

l. 26. with a modesty, etc. Distrust of one's own opinion shows a becoming modesty. Whether it is wise to trust the opinion of another man depends upon whether he is wise or not. These men showed an extraordinary deference to the judgment of Pitt, and rightly, because he was a man of extraordinary wisdom.

l. 31. the sport of every gust, literally, at the mercy of every breath of wind; i.e. they were unable to withstand any influence. easily driven into any port, easily prevailed upon to adopt any measure.

l. 32. those who joined, etc., their colleagues in the Cabinet.

l. 35. so as to seize, etc., so as to impose their own views upon those who had no views of their own.

l. 36. derelict, from the Latin word for *to leave*, is properly applied to a vessel that has been abandoned.

P. 51, l. 2. As if it were, etc. See note on p. 49, l. 20.

l. 7. even before, etc., before Chatham had been compelled by illness to retire altogether from public affairs.

l. 10. lord of the ascendant, the dominant influence in politics. The ascendant was the name given to the degree of the ecliptic which rises above the horizon at the time of birth. It was believed by astrologers to exercise a dominant influence on the life and fortunes of an individual.

l. 11. **set for ever**, Townshend died on September 4th, 1767, at the age of 42.

l. 12. **to be sure**, of course.

l. 18. **pointed and finished**, keen and polished. Burke has, apparently, in no way exaggerated the brilliant qualities of Townshend. But he touches his defects very lightly. "Had he possessed any earnestness of character, any settled convictions, any power of acting with fidelity to his colleagues, or any self-control, he might have won a great name in English politics. He sought, however, only to sparkle and to please, and was ever ready to sacrifice any principle or any connection for the excitement and the vanity of a momentary triumph." This is Mr. Lecky's verdict, and it justly represents the opinions of contemporary writers, and is a fair deduction from Townshend's actions.

l. 19. **where his passions**, etc., where his judgment was not biassed by interest or prejudice.

l. 20. **If he had not**, etc. It was, I think, of Townshend that it was said that if he had less stock (capital) than some, he had more ready money than most men. A man with a large capital invested may be in want of ready money. A student who knows his subject is often unable to meet the demands of an examiner.

l. 29. **He hit the House**, etc. He addressed the House in the most effective manner possible. When a ship heels over, a part of her side which is usually below the water is exposed. It is "between wind and water." A bullet lodged there is fatal, because, when the ship rights itself, the hole made by the bullet is below the water, which will flow in and sink the ship.

l. 31. **he was never**, etc., the matter and the manner of his speeches were just what the House thought they ought to be, and just what it felt inclined for. He did not care sufficiently for any subject to bore the House with it.

l. 34. **in perfect unison**, in perfect agreement. This term is generally applied in music to describe a number of voices singing the same note, as opposed to harmony where different voices sing the different notes of a musical chord.

l. 35, **he seemed to guide**, etc., the leaders of the House are those who express the sentiments of a majority.

P. 52, l. 5. **Great men**, etc. You cannot understand history unless you understand the men who make history, any more than you can find your way without sign-posts.

l. 7. **invidious**, unfair. It means, properly, likely to bring discredit or unpopularity.

l. 17. **a ferment**, the excitement caused by a speech from

Townshend is compared to the stir produced in dough by the bubbling (ebullition) of leaven or yeast (ferment).

l. 19. **this day**, Burke refers, of course, to his taxation of America.

l. 23. **the instinct of**, which is natural to. **He worshipped**, etc. He sought reputation wherever it might be gained, but the highest of all reputations is a Parliamentary reputation, and that was what he was most anxious to secure.

l. 30. **unamiable**, unlovable.

l. 35. **the cause of great mischief**, measures must be adapted to circumstances.

P. 53, l. 1. **masculine**, which require strength of mind and character. It is often a very narrow line which divides a virtue from a vice. Obstinacy, or persistence in one's own course without reference to its reasonableness, is a vice; but a man must possess the faculty of persistence in a due degree, otherwise he will be without principle (constancy, gravity): he will not be able to resist the temptation to do mean things (he will want magnanimity), e.g. to use power for his own ends; he will want courage (fortitude) to express and act on his own conscientious convictions; he will want fidelity, i.e. he will not be loyal, through all changes of circumstances, to his friends and his party; he will want firmness, i.e. he will easily be driven from his opinions or from the course that he has marked out for himself. The uncertain boundary between virtues and vices has long been a commonplace of moralists. It was perhaps suggested to Burke by Pope. The ideal of masculine virtue is expressed in Tennyson's *Ode on the Death of the Duke of Wellington*—

“ O iron nerve to true occasion true;
O fallen at length that tower of strength
Which stood four-square to all the winds that blew.”

l. 4. **in their excess**, etc., because men tend naturally to confound what they think right with what must be right.

l. 8. **disgustful**, See note on p. 3, l. 10.

l. 10. **the other extreme**, viz., facility: a readiness to say or do whatever will please.

l. 15. **the resolutions**, etc., referring to the repeal of the Stamp Act which was proposed by Conway. Burke referred to the adoption of this policy on p. 38, l. 18.

l. 18. **not, as was then given out**, etc., a political illness is an illness feigned for political purposes: in this case to avoid the awkwardness of supporting a measure which he had previously opposed.

l. 21. **as the fashion**, etc., this sentence is parenthetical. In the next session opinion changed once more (for nothing lasts

long in this world), etc. The words are from the Bible, 1 Cor. vii. 31.

l. 22. **in as bad an odour**, as unpopular.

l. 27. **he was tied down**, he was taken at his word. He was required to do what he had said must be done.

l. 28. **by some**, Townshend's declaration was made in the course of a discussion upon a motion made in January 26th, 1767, by Grenville that America should support an establishment of her own. **had no objection**, etc., they were perfectly willing to sacrifice Townshend and his colleagues in an attempt to gain their own ends.

l. 31. **humiliated state**, the repeal of the Stamp Act being represented as a denial of his sovereignty over America.

l. 35. **to tax**, etc. No man likes parting with his money; all men are blind to the defects of those whom they love. "There was never proud man thought so absurdly well of himself as the lover doth of the person loved: and therefore it is well said, '*That it is impossible to love and to be wise.*'" (Bacon, *Essay* x.) "To love and to be wise is scarcely granted to God" is one of the sentences of Publilius Syrus, a native of Antioch who lived in the first century B.C. A collection of moral sentences was made in the Christian era from his plays, and adulterated with sentences from other sources in the beginning of the Middle Ages.

P. 54, l. 2. **the partisans**, etc., those Englishmen who were in favour of taxing America.

l. 3. **To close with**, to fall in with, to accept.

l. 5. **supply**, See note on p. 8, l. 15.

l. 8. **devoted**, literally, of an animal dedicated for sacrifice. It signifies, generally, doomed. Nobody cared for the interests of the Company. Everyone was ready to *sacrifice* it.

l. 10. **To counterwork**, to frustrate. It is a military term. If one side in war open a battery against the other, and the latter raise a bank behind which to shelter themselves, this bank is a counterwork. High-priced goods are smuggled. For the reduction of the duty, see p. 11, l. 34.

l. 14. **fine-spun**, elaborate. It is the opposite of *coarse*, and is properly used to describe cloth.

l. 15. **exquisite**, subtle, refined. See note on p. 30, l. 28. For the idea, cf. p. 68, l. 23. Burke means that such an elaborate scheme for securing objects that were irreconcilable was foredoomed to failure.

l. 17. **He was truly**, etc. He tried to please you as a child tries to please its parents.

l. 20. **adjusted himself**, etc. He looked in your face to gather what you wished, and then tried to give it to you.

l. 25. **I hope in God**, etc. Another illustration of Burke's dislike of men who were not loyal members of any party. The words "in God" show the sincerity of the hope. A common phrase is "in God's name."

l. 26. **rose in their place**, rose from their seats in the House to speak. When a number of members rise together, that one is called on to speak who first catches the Speaker's eye.

l. 27. **divine**, guess. The reason was that they had at different times supported such opposite measures, and expressed such contradictory views.

l. 32. **at critical times**, when every vote is of importance.

l. 34. **gaped**, sat open-mouthed, that is, in anxious expectancy.

l. 36. **hear him**, expressions of applause. The ordinary phrase now is *Hear, Hear*.

P. 55, l. 2. **tremulous and dancing balance**, They are compared to a man walking on a tight rope, who, if he loses his balance, wobbles for a moment from side to side before he actually falls, so that, until he falls, it is impossible to say whether he will fall to the right or to the left.

l. 3. **The fortune**, etc., that is, the fact that they attracted universal attention.

l. 5. **to whom**, etc., He was more pained by the indifference and inattention of a single member, than he was pleased by all the flattery which he received. **a whiff**, a breath. **incense**, a fragrant substance burnt at religious ceremonials. So it signifies worship, or flattery. **the clouds**, the dense smoke which rises from the burning incense. **superstition**, irrational worship. A word expressive of worship is suggested by the word *incense* above.

l. 8. **contradictory honours**, the applause of opposite parties.

l. 14. **catching something**, hitting upon something which all would approve.

l. 16. **the fourth period**, See on p. 49, l. 1.

l. 23. **recalled**, not to England. Burke means merely that the order to attack was first given and then withdrawn.

l. 26. **unity of colour**, consistency. He has, for instance, already pointed to the inconsistency of conceding the repeal of five out of six taxes, and refusing the repeal of the sixth. He uses the word *decent*, because a Ministry is discredited by an obvious inconsistency in its policy.

l. 28. **on a former occasion**, Burke had moved eight resolutions with regard to the disturbances in America in 1770.

- l. 29. **your temper, your patience.**
- l. 31. **After all, etc.** The student should note this paragraph. It is a summary of the argument so far as it has gone.
- P. 56, l. 1. **A secretary, etc.,** Lord Hillesborough. See p. 17.
- l. 3. **disclaimer, cf. p. 20, l. 4.**
- l. 4. **what has been left, viz., the tea duty.**
- l. 6. **for the sole purpose, etc., it was a *preambulary tax*, p. 11, l. 25.**
- l. 8. **authentically, by the responsible Government.**
- l. 10. **state, statement.**
- l. 13. **the question, the proposal of Mr. Rose Fuller.**
- l. 14. **fall in with, agree with.**
- l. 15. **consistent in theory, etc., the tea duty was neither.** The retention was inconsistent with the repeal of the other duties, and it yielded no revenue.
- l. 28. **by metaphysical process, by abstract argument, viz., that in repealing a tax once imposed England confesses that she has no authority to impose taxes.** The student of these speeches, and of Burke's works generally, will notice his contempt for *metaphysical* arguments in politics. The question for the statesman to ask himself is not—Is my measure reconcilable with some abstract principle? but—Have I been wise? Have I secured the maximum of good attainable under the circumstances?
- l. 29. **when you have recovered, etc.** Burke compares the statesmen who abandoned the safe policy of commercial regulation for the disastrous policy of taxation to a force which marches out of a safe position into one in which it is exposed to the enemies' fire. The wisest thing for such a force to do is to retreat into its original position, and there make a stand. Similarly the Ministers ought to return to their original policy, and to refuse to budge from it.
- l. 32. **oppose, etc., meet all demands for change with the simple statement that your policy is justified by precedent and prescription.**
- l. 33. **innovators on both sides, those who ask for the removal of taxes on trade as well as of external duties, and those who ask for both together.**
- l. 35. **On this solid basis, etc., if you will adopt the policy which I advise, you will work wonders.** He alludes to the often-quoted saying of Archimedes, the celebrated mathematician and mechanical inventor of the third century B.C., that if he could obtain a position and a fulcrum he could move the world.

P. 57, l. 6. **with too much logic**, etc. It is very unwise to hold the Americans to any conclusion which can be logically deduced from the letter of their distinction, *e.g.*—

All external duties are recognized by America as legitimate ;

The tea duty is an external duty :

Therefore it is recognized by America as legitimate.

This is a faultless syllogism, but it is a very foolish argument. The Americans did not allow external taxation simply as external, without reference to the purpose for which it was imposed. They did not allow it because it was imposed on the coast and not inland. (It was not a distinction of geography.) They objected to taxes, wherever collected, which were intended to defray any of the expenses of government in America (establishments).

l. 11. **The distinction**, etc. Your right may or may not be limited as the Americans contend. That is a matter of absolutely no importance. So long as England observed the American distinction she prospered, and that is a sufficient reason for continuing to observe it.

l. 14. **compromise**, an agreement arrived at by each party surrendering something.

l. 15. **summum jus**, the insistence by each party on the letter of his rights. When parties are irritated with one another each will see in the other's proposals an insidious attack upon his own rights, and neither will bate an iota of his right for the sake of coming to an agreement. On the other hand, when parties are disposed to become friends they will be far more anxious to come to terms than to be able to reconcile those terms with the letter of any rights or claims which they may have asserted. There is a proverb, *summum ius summa iniuria*: the utmost rigour of the law is the extreme of injustice. Equity, or a regard to the spirit of the law, must temper the administration of it.

l. 18. **geometrical exactness**, strict logical consistency. Geometry is the type of demonstrative certainty. Abstract reasoning and universal statements are only possible on condition that we leave out of account all possible modifying conditions, such as the differences between men and sets of circumstances. In all reasoning concerning human affairs it is precisely these special characteristics of men and cases which are of any interest or importance. Hence Burke's objection to abstract or geometrical reasoning in relation to human affairs. In geometry it is inconceivable that our premisses should require modification under any circumstances. All bodies must be in space, and geometry only considers what is incident to them as being in space.

l. 19. **your experience**, of the prosperity which you enjoyed under your old system of commercial regulation.

l. 25. **the penal bills**, He refers to the closing of Boston

harbour and the restrictions on the Assembly of Massachusetts. See Introduction. Alone, if it is sent by itself.

1. 27. In such, etc., when things of a different character are mixed together. The repeal will share the odium of the unpopular measures which accompany it, just as the reputation of an innocent man must suffer if he is found in bad company.

1. 29. this angel of peace, this conciliatory measure of repeal. a destroying angel, the penal bills which will provoke resistance and bloodshed. The word *angel* signifies a messenger in Greek. The spirits in heaven are messengers to execute the decrees of God. In the Bible national misfortunes are attributed to the agency of angels sent by God. Cf. "The Lord sent pestilence upon Israel: and there fell of Israel seventy thousand men. And God sent an angel unto Jerusalem to destroy it: and as he was destroying, the Lord beheld, and he repented him of the evil, and said to the angel that destroyed, It is enough, stay now thine hand" (1 Chron. xxi. 14, 15).

1. 35. even now, so late as this, after all that America has suffered.

P. 58, l. 2. I should hope, The transformation of civil discord into peace by the agency of a spirit of conciliation is compared to the creation of the world out of chaos by the agency of the spirit of God.

1. 3. order and beauty, The word *kosmos*, which signifies the universe, is derived from a Greek word signifying to beautify, to adorn, to regulate. It emphasizes the fact that the world is an ordered system of law. It is said to have been first applied by the Pythagoreans, who were especially struck by the presence of law in nature.

1. 7. ascertain, settle. The word means, literally, make certain.

1. 9. If you murder, etc. A murder, the motive of which is robbery, is intelligible. But there is no sense in fighting when victory can bring no profit.

1. 14. seek peace, etc. "Eschew evil, and do good: seek peace and ensue it" (Psalm xxxiv. 14).

1. 15. taxable matter, commodities on which taxes can be levied.

1. 18. metaphysical, See on p. 56, l. 28. A metaphysical consideration of a right is a consideration of it without reference to the circumstances in which it is proposed to exercise it. Such consideration must be fruitless. The only reasonable question which can be raised with regard to a right is whether, in a given set of circumstances, it is prudent or equitable to exercise it

l. 20. **born of our unhappy contest**, Because, if the Americans had not been irritated by England, it would never have occurred to them to consider how far England's rights extended.

l. 29. **These are the arguments**, etc. Burke often argues that a system is justified by the mere fact that it works well. Government being an institution for securing and promoting human well-being, a government is justified by the mere fact that the subjects are contented with it and prosper under it. In his *Reflections on the French Revolution* he shows the futility of determining the lawfulness of a government by considering whether it preserves the abstract rights of the subject. When, he says, a society is once formed, man has no rights which are incompatible with that general well-being which it is the object of society to secure. Similarly, government has no absolute rights, but only a duty to do whatever reason points to as most likely to further the purposes for which governments are instituted. **Leave the rest**, etc. Leave abstract rights to be a matter of abstract speculation among philosophers. A school is literally a place devoted to the rational employment of leisure time (Greek *scholê*, leisure). As different views are expounded by different masters, the word comes to signify a distinctive opinion, a sect.

l. 31. **you sophisticate**, etc., you make authority hateful to your subjects by your quibbles. Burke means that his opponents' view of the nature of government, and their deduction from it in the present case, might be expressed in the following syllogism—

A sovereign is one who can treat his subjects as he pleases ;
 England is sovereign over America :
 Therefore she can treat America as she pleases.

Burke replies that, if that is to be the effect of being subjects of England, the Americans will simply throw off English rule.

P. 59, l. 3, **cast your sovereignty**, etc., contemptuously repudiate it.

l. 4. **be argued into slavery**, accept, as valid, arguments showing that he is or ought to be a slave.

l. 6. **character**, used in its literal sense of *a mark*. It is from a Greek word signifying to stamp, or to engrave.

l. 7. **brand**, a mark, or stigma. It means literally 'a mark burnt in.'

l. 10. **made pack-horses of**, are made to bear the burden of. The word *pack* means a bundle. We see it in packet, and package.

l. 12. **unlimited monopoly**, See p. 23, l. 11.

l. 14. **The Englishman in America**, Burke purposely uses this

expression to remind the English that those whom they are ill-treating are men of their own race. Englishmen in England should consider how they would like such treatment.

l. 15. **will be no compensation**, They will not like it any the better, or be any the more persuaded that they ought to submit to it, because it is sanctioned by law.

l. 17. **A noble lord**, Lord Carmarthen.

l. 18. **when he has modelled**, etc., when he has moulded or shaped his ideas, that is, corrected them.

l. 24. **So then**, The conclusion which we are asked to draw from this is, etc.

l. 27. **to give a stone**, "What man is there of you, whom if his son ask bread, will he give him a stone?" (*Matt.* vii. 9).

l. 28. **natural**, The word denotes what man finds, as opposed to what he makes. Burke is thinking of the selfishness of human nature and the limited intelligence and power of man.

l. 29. **mutations of time**, Governments do not change with changing circumstances and needs, so that a government which suits one age is imperfectly adapted to the next.

l. 32. **from it**, that is, from the right. We are not to argue that, because a perfect government is impossible, therefore any amount of imperfection in a government is justifiable.

l. 35. **the shameful parts**, in this case, the large towns in England which are unrepresented. He means the same thing by 'the slough of slavery.' The word *slough* means the cast skin of a snake.

P. 60, l. 9. **after wading**, etc., no matter how many Americans you kill in war. *To wade* means generally to walk through water.

l. 11. **my voice**, etc. This is a rhetorical artifice. Burke says he cannot describe, and is unwilling to contemplate, the appalling consequences of pursuing the present policy.

l. 13. **I have recovered**, etc. He pretends to have been quite overcome.

l. 23. **just**, precisely. So far from its being impossible to reconcile them, there are no two things which it is more easy to reconcile.

l. 35. **mutual justice**, because a party to a quarrel is not a fair judge of his own case.

P. 61, l. 4. **equal to**, able to perform.

l. 7. **The gentlemen**, etc. Burke says that it is absurd to argue that England can only ask for money, and can never exact it. If her demands were refused, and she had no means of enforcing

them, she would not be an imperial power. For the meaning of *requisition*, see on p. 33, l. 17.

l. 9. **What!** an expression of astonishment that such an argument should be used.

l. 11. **dissipate**, the word means, literally, to scatter. Burke's argument is that, if the empire cannot be made to provide the means for its own defence, it must fall to pieces.

l. 12. **We are engaged**, etc. Burke is putting an imaginary case.

l. 16. **the stress of the draft**, the burden of the taxes. The *draft* means, literally, the drawing or dragging. The metaphor is taken from horses drawing a load. The *stress* means the *strain*. As to facts, Burke is perfectly correct. It was a matter of great difficulty to get the colonists to combine, or to get any one colony to contribute to ward off a danger not sensibly felt by itself.

l. 24. **in the first instance**, before a voluntary contribution has been asked for.

l. 27. **as an instrument of empire**, because taxes were only to be imposed when the money required to keep the empire together could not be obtained in any other way. The parts of the empire must contribute to the safety of the whole.

l. 30. **subordination**, obedience to the imperial power when imperial interests are at stake. **liberty**, freedom in all matters which concern the colonies only, and not the whole empire.

l. 32. **a refining speculatist**, a subtle theorist, anxious only to deduce the extreme logical consequences of sovereignty, would argue that sovereignty was destroyed by the concession of any freedom to dependencies. A factious demagogue on the other hand would argue that any exercise of imperial power violated the freedom of the dependencies. Such arguments Burke dismisses with contempt. It is enough to know that the supremacy of England and the freedom of the colonies can be reconciled in such a way as to content the colonies and save the empire.

P. 62, l. 7. **Sir William Temple**, ambassador to the Hague in the reign of Charles II. He was the author of *Observations on the United Provinces*. The Netherlands revolted from Spain in the 16th century.

l. 12. **I charge ... to**, Cf. p. 26, l. 31.

l. 15. **morally certain**, as certain as anything can be, short of absolute demonstration. **a million**, etc., £1,000,000, which the Americans would have voluntarily contributed. The peace referred to is the Peace of Paris in 1762.

l. 18. **even in that light**, from the point of view of revenue.

l. 20. narrow ... measured, See on p. 5, l. 1.

l. 31. partial ... evil, etc. E. J. Payne points out that this is a reminiscence of Pope's line, "All partial evil (is) universal good" (*Essay on Man*, l. 292).

P. 63, l. 2. the way will be clear, etc., you will meet with no difficulties, because then the Americans will not be disposed, as they are at present, to find fault with whatever you do.

l. 4. open it, relax it.

l. 5. from policy, etc., consider your own interests. Do not sacrifice them from a vindictive desire to punish the Americans.

l. 6. like men, etc., like reasonable beings, and like men on whose action the safety of an empire depends.

l. 12. The noble lord, Lord North.

l. 15. happy and original, ironical.

l. 16. I should take away, etc. Lord North was without wit, for he could only repeat a stale joke; and if the only argument that he could oppose to Burke's policy was that Burke was actuated by selfish motives, he was not well supplied with arguments.

l. 18. blows much heavier, Burke means that Lord North's sarcasm was not very terrible.

l. 21. the map of England, where different roads lead to; which leads to promotion and which not.

l. 23. friend under me, Dowdeswell, who was Chancellor of the Exchequer in the Rockingham Government.

l. 33. limiting the exercise, viz., to emergencies in which the safety of the empire requires that it should be exercised.

SPEECH ON CONCILIATION WITH AMERICA.

P. 64, l. 1. the Chair, the position which you occupy as president of this House. The strictness and severity which the Speaker has to exercise in the maintenance of order are supposed to have rendered him impatient of human weaknesses.

l. 4. depending, hanging over them, imminent. When a man is very anxious, the slightest circumstance is sufficient to encourage or to depress him.

l. 7. the event, the result.

l. 8. the grand penal bill, the object of which was to restrict the trade of the New England colonies with Great Britain, Ireland, and the British Islands in the West Indies, and also to prevent them, except under certain conditions and limitations,

from carrying on their fisheries in Newfoundland. To destroy the trade of the Americans was to deprive them of the means of subsistence.

l. 10. *is to be returned*, etc., the Lords returned it to the Commons for reconsideration. They thought that its provisions might be extended to other colonies.

l. 13. *we are put once more*, etc. The House of Commons has finally committed itself to a bill which it has once sent up to the Lords. In this case, Burke says, God Himself seems to have intervened to prevent the disastrous results of the bill, by giving the Commons an opportunity of reconsidering it.

l. 21. *coercion and restraint*, by the *coercion* he means the attempt to break the American resistance to the tea-duty: by the *restraint*, the limitation placed on their trade. These two things were different, but hardly incongruous.

P. 65, l. 5. *When I first*, etc. In 1765, when Burke sat as member for the borough of Wendover.

l. 7. *delicate*, requiring careful handling.

l. 10. *trust*, Burke often insists that the power of a government is not absolute, but given to it only to be exercised for the good of the people and the empire. The interests of the nation are committed to its charge, as the property of a ward is to a trustee. This view, which is essentially Whig, is emphasized by Locke, who traces the origin of government back to a contract entered into by peoples to make a conditional surrender of some of their natural rights to government with a view to better securing the rest.

l. 12. *I was obliged*, etc. Burke probably knew more about America than any one in England.

l. 19. *to ballast*, to steady. *Ballast* means, literally, a weight put in a ship to steady it. A man who has fixed opinions of his own is not shaken by the changes in popular sentiment and opinion. *blown about*, etc. The language throughout is in harmony with the comparison of the steadiness given to him by fixed opinions and the steadiness given to a ship by ballast. He did not profess whatever was the opinion of the majority for the moment. The words are borrowed from St. Paul, *Eph.* iv. 14, "That we henceforth be no more children, tossed to and fro, and carried about with every wind of doctrine, by the sleight of men, and cunning craftiness, whereby they lie in wait to deceive."

l. 21. *manly*, A man should be strong, and able to rely on his own resources. Burke was ready with a standard by which to judge of any events that might be reported from America. It was just because Burke did look at events in the light of con-

sistent principles that his works have value. His position must be the position of any man who aspires to what can be called an opinion on political matters.

l. 23. *At that period, etc.* It was the time of the repeal of the Stamp Act.

l. 29. *religious, scrupulous.*

l. 30. *It is in, etc.,* I leave it to your fairness to decide.

l. 31. *Parliament having, etc.* A change in feeling and conduct can only be justified by a change in circumstances. Parliament knows more of circumstances than an individual can do, and may therefore reasonably change more frequently than a private individual.

l. 36. *to, joined with motion:* their reasons for their many changes in feeling and policy.

P. 66, l. 4. *complaint,* Used in its common meaning of a *disease.*

l. 5. *the distemper, disorder, derangement, disease.*

l. 8. *I will not miscall, etc.* My regard for truth will not allow me to represent the evil as being less than it really is. It is so appalling that I am afraid to call it by its proper name, even if I could find a name adequate to describe it.

l. 11. *a worthy member,* Mr. Rose Fuller.

l. 12. *filled the chair, etc.,* presided when the affairs of America were being considered in Committee of the whole House.

l. 15. *our former methods, viz.,* criticism of government measures.

l. 17. *never too indulgent, etc.,* an unsuccessful opposition is apt to be regarded by public opinion as factious.

l. 21. *inconstancy, levity, want of fixed principle.* As the Ministry proposed measures of every kind, and the Opposition objected to all of them, it might seem as if they had made up their minds beforehand not to be contented with anything that came from the Government. To this, of course, Burke would reply that he criticized the Government because they wavered between conciliation and coercion, instead of sticking consistently to one of them.

l. 26. *out, to the end.*

l. 27. *our hand,* literally, the cards in our hand, that is to say, our own policy. The word, of course, is used because the struggle between the Government and the Opposition has just been compared to a game at cards.

l. 31. *a platform, a ground plan.* They would be expected to give at least an outline of their own scheme.

l. 35. **His application**, his request for a scheme of government.

P. 67, l. 1. **No man**, etc. No one could be more willing than myself, because no one could be more anxious than I was for the welfare of America; but it was not for a private individual like myself to frame a scheme of government, because I should have no power to give effect to it when it was framed.

l. 2. **gave ... into**, yielded to.

l. 5. **argues**, is a sign of the existence of, proves.

l. 9. **disreputably**, to the damage of the reputation of. The word now carries the sense of positive disgrace.

l. 13. **I have**, etc. As a rule I have a very poor opinion of mere schemes of government, and of any measure which is not to be enforced by the man who drafts it. When a man knows that he is to be practically responsible for carrying out a measure which he devises, he will, for his own sake, carefully inform himself as to all the circumstances of the country to which it is to be applied, and will propose nothing that does not appear to be really practicable. A private individual, drawing up a scheme of government, does so under no sense of responsibility.

l. 18. **alienation**, estrangement.

l. 19. **I felt this**, etc. When the safety of a country is at stake, it is the duty of private individuals to come forward and give what help they can. Cf. "If the prudence of reserve and decorum dictate silence in some cases, in others prudence of a higher order may justify us in speaking our thoughts" (*Reflections on the Revolution in France*).

l. 21. **is a mighty leveller**, equalizes all, that is, in times of danger all may help.

l. 27. **would ennoble**, etc. The loftiest efforts of genius would be dignified by the cause in which they were made; and every man would be justified in doing his best, no matter how little it might be, to help in such a crisis.

l. 32. **I grew less anxious**, Because, as he goes on to explain, he knew that his proposal would be judged on its merits.

P. 68, l. 1. **natural or adventitious**, *Natural* describes the influence which a man possesses owing to his own intrinsic worth: *adventitious* describes that which comes to a man from external circumstances, such as his rank or office.

l. 8. **the labyrinth**, a maze. The expression shows the difficulty of arriving at an agreement by negotiation.

l. 9. **to arise**, etc. Burke is perhaps thinking of the Roman principle of ruling by creating divisions amongst the ruled.

l. 11. *not peace*, etc. I do not wish peace to depend on the answer which a lawyer may give to such a difficult question as "What does sovereignty include?"

l. 13. *shadowy*, obscure, hard to discern. Burke is, of course, referring to the question which had been raised as to the extent of England's rights in the matter of taxation.

l. 14. *in its ordinary haunts*, literally, in the places which it ordinarily frequents. To seek it in such places means 'to take the right way of getting it.' If you have quarrelled with a man and want to make friends with him again, you must show your anxiety to do so by removing the cause of offence. Then he will meet you half way.

l. 17. *former unsuspecting*, etc. These words are in italics because they were used by the congress at Philadelphia to describe the state of feeling in America after the repeal of the Stamp Act. Burke refers to them again in the letter to the sheriffs of Bristol.

l. 23. *Refined policy*, etc. See on p. 54, l. 14.

l. 25. *Plain good intention*, etc. If you want your subjects to obey you, let them see that you really mean them well.

l. 28. *healing*, It puts an end to discord, which is the disease of the state.

l. 29. *cementing*, It binds the parts of the empire together, as mortar binds bricks.

l. 32. *pruriency*, literally, itching; and so, curiosity, or inquisitiveness. It is always used in a bad sense, signifying generally a desire to hear something improper or indelicate.

l. 34. *the project*, "That when the Governor, Council, or Assembly, or general Court, of any of his Majesty's provinces or colonies in America shall *propose* to make provision, *according to the condition, circumstances, and situation* of such province or colony, for contributing their *proportion* to the *common defence* (such proportion to be raised under the authority of the general Court, or general Assembly, of such province or colony, and disposable by parliament), and shall engage to make provision also for the support of the civil government, and the administration of justice, in such province or colony, it will be proper, *if such proposal shall be approved by his Majesty, and the two Houses of Parliament*, and for so long as such provision shall be made accordingly, to forbear, *in respect of such province or colony*, to levy any duty, tax, or assessment, or to impose any further duty, tax, or assessment, except such duties as it may be expedient to continue to levy or impose for the regulation of commerce; the net produce of the duties last mentioned to be

carried to the account of such province or colony respectively." (Resolution moved by Lord North in the committee, and agreed to by the House, 27th February, 1775.)

l. 35. **the blue riband**, the badge of the Order of the Garter. It is very seldom that a Commoner is a Knight of the Garter.

l. 36. **your lobby**. See on p. 41, l. 18: **squabbling**, disputing as to the amount which each colony should pay. Every agent will try to make out that his own colony should pay least.

P. 69, l. 1. **your mace**, the Serjeant-at-Arms, who is the executive officer of the House of Commons. The mace is the sign of his authority.

l. 3. **auction of finance**, Just as people bid for articles at an auction, so the colonies would make a bid for exemption from taxation by the British Parliament.

l. 4. **come to general ransom**, free themselves from taxation by a voluntary payment. To ransom means to redeem, or buy off.

l. 5. **knock down the hammer**, accept the contribution offered by them. When at an auction no one will go beyond the last offer, or bid, the auctioneer, saying 'Going, going, going—gone,' brings his hammer down on the table and declares that article sold.

l. 6. **beyond all the powers**, etc. No amount of knowledge of the science of calculating could enable a man to decide the fair contribution for each of a number of colonies so differently situated. Cf. p. 123, l. 25.

l. 9. **the proposition and registry**, its having been brought forward and recorded in your journals.

l. 13. **menacing front**, its threatening appearance. The House had promised to aid the Crown in putting down the rebellion in Massachusetts. For the meaning of 'our address,' see on p. 43, l. 13: **our heavy bills**, etc., referring to the closing of Boston harbour and the suspension of colonial assemblies.

l. 18. **It has even**, etc., it has gone further; it has done more than this.

P. 70, l. 4. **either in effect**, etc., it is not lessened, nor is it thought to be lessened.

l. 11. **are the strength**, etc. The only chance which the weaker party has of treating on equal terms with the stronger is to catch the latter at a disadvantage.

l. 22. **the object**, America. Burke's meaning is this—America is too valuable a possession for us to run any risk of losing it. It is too powerful a country for us to have any chance of subduing it.

P. 71, l. 9. *shoots*, a word used to describe the growth of a tree.

l. 16. *from families*, etc., perhaps a reminiscence of Aristotle. He said, and truly, that the social unit is the family. Families form village communities, and these communities are consolidated into states. Athens arose out of a union into one political organization of a number of village communities.

l. 19. *in the front of*, etc. I mention it first. I give it the most prominent place.

l. 21. *pinched*, confined: meagre.

l. 22. *occasional system*, see on p. 3, l. 3. It is of no use applying a system adapted to the circumstances of to-day to a country in which circumstances, *e.g.* the number of inhabitants, are changing.

l. 23. *one of those minima*, it is not one of those insignificant objects which we can afford to neglect. Burke is alluding to the maxim, *De minimis non curat lex*, *i.e.* there are trifles of which law takes no account.

l. 31. *without guilt*, it must always be wrong wantonly to offend and damage numbers of men. The Americans will resist any attempt which you make to harm them.

P. 72, l. 1. *This ground ... has been trod*, This subject has been dealt with.

l. 3. *at your bar*, see on p. 45, l. 23.

l. 4. *This gentleman*, Mr. Glover. The planters of the West Indies petitioned the House of Commons to make peace with the colonies, supporting their petition by pointing out how they would suffer if the Americans carried out their resolution to import nothing from English territories. *after thirty-five years*, his former appearance was probably connected with the matters that led to the war of England with Spain in 1739. Spain tried to prevent England from trading with Spanish America.

l. 9. *the first literary characters*, Glover's epics, *Leonidas* and the *Atheniad*, and his tragedies, *Boadicea* and *Medea*, are now forgotten.

l. 10. *in*, with regard to.

l. 21. *state*, cf. p. 56, l. 10.

l. 27. *vouchers*, authorities. To vouch is the Latin *vocare*, to call as evidence.

l. 28. *on your table*, presented officially to the House.

l. 30. *office*, viz., of customs.

l. 33. *terminating almost wholly*, etc. Our trade with Africa must be reckoned as a part of our colonial trade; because with

what we export to Africa we buy African slaves, which are then sent on and sold in the colonies. The English trade with Africa was really a slave trade with the colonies.

P. 73, l. 3. **denominations**, trades nominally distinct.

P. 74, l. 6. **protuberance**, etc., has not our increased trade with America been purchased at the cost of our trade with other countries? Have we not spent so much in America that we have nothing left to spend in other countries? A *protuberance* means, literally, a bulging or swelling. The killing of one trade by another is compared to the death of a man from a tumour, which absorbs the juices that ought to go to sustain the rest of his body.

l. 8. **It is the very food**, The profits of our American trade have enabled us to produce more, to sell more, and therefore to buy more, than we could before.

l. 20. **sophistical**, false. See note on p. 11, l. 25. Burke means that an object of so much value must be dealt with carefully.

l. 22. **It is good**, etc., it is well that we should dwell upon it. "And after six days Jesus taketh with him Peter, and James, and John, and leadeth them up into an high mountain apart by themselves: and he was transfigured before them. And his raiment became shining, exceeding white as snow; so as no fuller on earth can white them. And there appeared unto them Elias with Moses: and they were talking with Jesus. And Peter answered and said to Jesus, master, *it is good for us to be here*" (*Mark*, ix. 2-5.)

l. 31. **of an age**, he was born in 1684. The quotation which follows is slightly altered from Virgil, *Eclogue*, iv. 26.

l. 35. **the angel**, the belief that a guardian spirit is commissioned by the Deity to watch over every man from life to death was very ancient and widespread. The Romans called this guardian spirit a man's *Genius*. Hence the use of the word in p. 75, l. 14. **auspicious**, favoured, fortunate. The word *auspice* means lit. an omen taken from the flight of birds. See note on p. 39, l. 2.

P. 75, l. 2. **fourth generation ... third prince**, George III. was the grandson of George II.

l. 5. **healing counsels**, because they put an end to the discords between England and Scotland. **was to be made Great Britain**, referring to the Act of Union between England and Scotland in 1707.

l. 6. **he should see his son**, His son was made Lord Chancellor with the title of Baron Apsley in 1771.

l. 7. **turn back the current**, etc., the sovereign is the fountain of honour. In the ordinary course honours derived from him descend from father to son. In this case the ordinary course was reversed. The son received a barony in his father's lifetime, and the father was raised to an earldom. This reversal of the ordinary course is compared by Burke to a stream flowing back to its source.

l. 16. **seminal principle**, compared to America, as it was in Burke's day, it was then what a seed is to a tree. *Semen* is the Latin for *seed*.

l. 20. **you taste of death**, "Verily I say unto you, There be some standing here that shall not *taste of death*, till they see the Son of man coming in his kingdom" (*Matt.* xvi. 28.)

l. 31. **the setting of his day**, the closing years of his life.

P. 76, l. 10. **to sink it**, to convey an inadequate idea of it. Very large figures only convey a very vague impression.

l. 16. **deceive the burthen**, lighten it, make men forget it. The Latin word for to deceive, *fallere*, is used in this sense.

l. 17. **invigorate the springs**, etc. We receive from America the materials for manufactured goods, which we sell either in England or abroad.

l. 25. **comprehending**, including.

l. 31. **child of your old age**, the colonies are the children of the mother-country. They are the children of her old age, because it was not until after many years of England's existence that Englishmen settled in America.

l. 32. **piety**, used like the Lat. *pietas*, to signify the affection which binds a child to its father: a Roman charity, Roman writers tell how one Cimon was condemned to death by starvation in prison. His daughter Xanthippe was allowed to visit him, and she kept her father alive by feeding him with the milk from her own breast.

P. 77, l. 8. **tumbling mountains**, etc., icebergs. The word *berg* is the German word for a mountain.

l. 13. **the frozen serpent**, a small constellation within the Antarctic circle.

l. 15. **romantic, fanciful**. It was so remote that the acquisition of it by any nation seemed a dream. But though other nations could not go so far, the Americans have gone beyond it. The Falkland Islands are S.E. of South America. The student will find an account of them in Mahon's *Hist. of England*, vol. v. ch. 49. The word *romance* is used to denote any story of love or adventure, because such stories were frequent in the literature of those languages of South Europe which were derived from the language of Rome.

l. 16. **a stage and resting-place**, like an inn on a journey.

l. 19. **draw the line**, etc. The harpoon, or spear with which the whale is wounded, is fastened to a rope which is wound round a tub in the whaling-boat. When the whale is struck, the unwinding of the rope allows him to go clear of the boat, which he would otherwise upset.

l. 20. **run the longitude**, sail southwards.

l. 21. **game**, the word is applied to all creatures that are hunted.

l. 22. **No sea but what**, etc., there is no sea which is not harassed by them. Burke had in mind similar uses of the word *vezare* by Latin poets—Lucretius, *e.g.* talks of mountains being vexed by the wind.

l. 26. **hardy**, bold, adventurous.

l. 28. **in the gristle**, only half developed. Gristle is connected with to grind, because it has to be crunched with the teeth if eaten.

l. 34. **generous**, See on p. 10, l. 16.

P. 78, l. 3. **My rigour**, etc. No government, however watchful or however careful, could have produced these results. When I think of this I feel no disposition to put any checks upon freedom. Seeing what good it can do, I am willing to pardon the occasional evils for which it is responsible.

l. 8. **Certainly it is**, etc. Notice the skill with which Burke refutes an argument by putting it in a way that exposes the folly of it.

l. 11. **complexions**, See on p. 40, l. 5.

l. 13. **Those who wield**, etc., the government who dispose of the forces of the state.

l. 25. **Terror is not**, etc. You must not take it for granted that the Americans will be intimidated by your threats, or that your forces will necessarily be victorious.

l. 32. **you impair**, you diminish the value of. Life and money must be expended in war.

P. 79, l. 3. **a foreign enemy**, France would have been glad to find England at a disadvantage.

l. 5. **no insurance**, I cannot guarantee myself. The word *sure* is the same as *secure*, *i.e.* free from anxiety.

l. 9. **no sort of experience**, This argument is characteristic of Burke.

l. 14. **our fault**, what my opponents represent as the mistake of over-indulgence. By **our penitence** he means our policy of coercion.

l. 27. *as an ardent*, etc. Our hatred of those who would rob us of a thing is great in proportion to the value which we set upon the thing.

l. 28. *restive*, restless, disturbed. The word properly means stubborn, unwilling to move ; but it is confused with the word *restless* : untractable, unmanageable.

l. 30. *shuffle ... by chicane*, to get from them by underhand measures.

P. 80, l. 2. *England*, etc. On p. 16 Burke indicated his opinion that the English did not guard their freedom as watchfully as their ancestors did ; and in the *Present Discontents* he reproves them for sitting quietly by while the Court perverted the popular house into an instrument of despotism.

l. 4. *when this part*, etc., when England was struggling for freedom under the Stuarts. The Puritan emigrants wanted freedom to worship according to their conscience.

l. 5. *bias*, literally, a slant ; and so, an inclination to one side, in this case to the side of, or in the direction of, freedom.

l. 8. *English ideas*, etc., as Englishmen understand it, viz., a freedom to dispose of their own money ; and as Englishmen justify it, viz., on the ground that a man who can be robbed of his money is not free. *Abstract liberty*, liberty in general, i.e. mere absence of control. There is no country in which every one may do whatever he likes.

l. 9. *Liberty inheres*, etc. Freedom is freedom in some particular respect, or freedom to do some particular thing.

l. 11. *by way of eminence*, especially, pre-eminently. Burke's words are a translation of the Greek phrase, *κατ' ἐξοχήν*. We generally use the French phrase, *par excellence*.

l. 15. *the ancient commonwealths*, Rome and the states in Greece. Every student will remember the struggles between the patricians and plebeians in Rome, and between the oligarchical and democratic factions in Greece.

l. 22. *to give ... satisfaction*, to demonstrate.

l. 27. *parchments*, charters. The word is derived from Pergamus, a town in Asia Minor, where parchment was first invented : blind, for which no good reason could be given.

l. 32. *the old records*, the parchments referred to above.

l. 33. *This oracle*, this truth. The word oracle means, literally, an utterance of the deity.

l. 35. *mediately or immediately*, by themselves or their representatives. They not only showed, as a matter of history, that the sovereign had not taxed ; but they also argued *a priori*, or deductively, that a people, whom a sovereign could deprive of their money at his pleasure, could not be free.

P. 81, l. 3. **fixed and attached**, used intransitively.

l. 4. **Liberty might be**, etc. Burke means that men count themselves free when they are free to do the particular things that they care about doing.

l. 6. **Here they felt**, etc. Just as a doctor, when he wants to find out whether a man is healthy (sound) or not, feels his pulse, so the Americans, when they wished to know whether they were free or not, asked whether they were taxed by themselves or by England.

l. 10. **It is not easy**, etc. You must not expect to keep your principles and all that follows from them to yourselves. If you proclaim that only those who are self-taxed are free, why should this be true of Englishmen in England only?

l. 12. **and your mode**, etc. By granting them practical freedom, i.e. by the policy of non-interference which you have adopted, you have strengthened their belief in their freedom.

l. 16. **They were further**, etc. If they were not to be free, why did you give them the free institutions of England? **pleasing error**, they were pleased with the belief in their own freedom, but it now appears as if that belief was an illusion.

l. 18. **merely popular**, altogether popular. Merely is used in its literal sense of purely. *Merus* is the Latin word for *unmixed*. Burke means to say that in every colony there was a popular assembly, summoned by the Governor, but that in *New England* the colonies were pure democracies. In Massachusetts the Upper Chamber, instead of being, as in most provinces, appointed by the Sovereign, was elected annually by the Lower Chamber: every town officer was annually chosen; all town affairs were decided in public meetings; the clergy were selected by their congregations; and with the exception of a few custom house officers, the Crown officers were paid by the State. The Governor was appointed by the Crown, but his power was practically very limited, because his salary and the salaries of the whole Executive depended on the popular vote. In Rhode Island and Connecticut the freemen elected all their officers from the highest to the lowest, and they were not obliged to communicate the acts of their local legislatures to the king (Lecky).

l. 24. **this necessary operation**, the inevitable tendency of free institutions to produce a spirit of independence in those who live under them.

l. 26. **a principle of energy**, an active principle. A man will do and suffer for his religion, if it is sincere.

l. 29. **of that kind**, viz., dissenters from the Church of England. The term dissenters is applied to all religious sects among Englishmen outside the Established Church.

l. 32. built upon it, because, unless every man is free to worship God in his own way, the existence of independent religious sects is unjustifiable.

l. 33. from, this is the right preposition to use after *averse* (cf. above, l. 22), though now we generally use *to*.

l. 35. in their history, Their dislike of absolute governments is due to the fact that they or their ancestors were oppressed by absolute governments.

l. 36. coeval with, as old as.

P. 82, l. 3. The Church of England, etc. It was established by Henry VIII.

l. 8. natural liberty, a natural liberty is one which is not created by and cannot be taken away by government. The expression *state of nature* is used to denote the period anterior to the existence of society and governments; and natural liberties are the rights which men were supposed to have enjoyed in that period. The claim of the secular government to repress dissent can only be resisted on the ground that the right of every man to worship as he pleases is a right which he possessed before the existence of governments, and which, therefore, no government can abrogate.

l. 10. cold and passive, lukewarm and indifferent. A Protestant must be a man who protests against something or somebody.

l. 12. is a refinement, etc., it is the right to protest and dissent carried to its extreme limits. It is Protestantism and dissent in its extreme form. Englishmen in the 16th century asserted their right to protest against the Romish corruptions of primitive belief and worship. Dissenters assert the right to differ from any church, and to protest against any belief or practice whatsoever.

l. 15. denominations, the regular word used to denote a religious sect: agreeing in nothing, etc. No two sects have exactly the same creed or form of worship; but they all agree in this, that any man may believe what he pleases, and worship as he pleases.

l. 20. left England, during the struggle with the Stuarts.

l. 24. the establishments, the technical word for State churches. Cf. below, l. 30. There were in America Irish Presbyterians, besides Germans, Swedes, Scotch, Welsh, and a few Dutch immigrants (Lecky).

l. 25. far from alien to, very much akin to.

l. 28. the latitude, etc., they think that I am asserting of all America what is only true of a part of it. If we attribute the

spirit of independence to the prevalence of dissent, how are we to account for it where dissent is not prevalent? Burke says that though the Southerners are not dissenters, they are slave owners, and the ownership of slaves produces the same haughty spirit in them that dissent does in the Northerners.

l. 30. **has a regular establishment,** In Virginia "the sixty or seventy clergymen of the Established Church received, in addition to a house and to some glebe lands, an annual stipend in the form of tobacco, which was delivered to them packed in hogsheads for exportation at the nearest warehouse." *Lecky*.

P. 83, l. 1. **jealous of their freedom,** Seeing as they do every day the superiority of their own position as freemen to that of their slaves, the value of freedom is constantly forced upon their attention. They naturally cling to their freedom when they have before their eyes every day examples of the misery of the non-free.

l. 4. **a common blessing,** enjoyed by all. The words which follow "as broad ... air," are from *Macbeth*, iii. 4. 23. In a free country many of the poorer class seem little better than slaves. They have to work as hard, if they can get work, and they are not so well housed nor so well fed. Freedom does not seem worth so much in a country where free men may be wretched.

l. 10. **I cannot alter,** etc. Burke wanted the English to realize that they had to deal with America as it was. What was the use of arguing that the spirit of independence in the Americans of the Southern colonies, being simply a feeling of pride arising out of a comparison between themselves and their dependents, had nothing in it that deserved respect? The question was not what made them independent, but was there any chance that an independent people would submit tamely to an arbitrary government?

l. 14. **ancient commonwealths,** slavery prevailed in Rome and in all the states of Greece: **Gothic ancestors,** Burke uses the word Gothic loosely as equivalent to *German*. Goths is properly the name of a single Teutonic people who inhabited the Southern shores and the islands of the Baltic.

l. 15. **in our days,** we need not go to ancient history for a parallel. We have seen one in our own days. In Poland the peasants were serfs attached to the soil. Burke uses the past tense *were*, because the position of the peasantry was much improved upon the partition of Poland in 1772 between Russia, Prussia, and Austria.

l. 17. **domination,** the word is appropriate, because *dominus* was the Latin term for an owner or master of slaves.

l. 23. **The profession,** the actual lawyers.

l. 25. the congress, viz., at Philadelphia. See Introduction.

l. 28. tracts, treatises. It is a short form of tractate. The word is specially applied to short publications on religious subjects.

l. 32. *Blackstone's Commentaries*, Blackstone was born in 1723. He wrote the famous *Commentaries on the Laws of England*, a book which has profoundly influenced the opinions of Englishmen upon the subject of the English law and constitution.

P. 84, l. 1. *chicane*, a trick or subterfuge.

l. 2. *your capital*, etc., your chief punitive measures. Burke refers to the prohibition of public meetings. The people evaded the act, by calling every meeting an adjournment of a meeting held before the act was passed. The smartness of debate will say, Some clever man among my opponents will reply that the study of the law must teach them to respect the law.

l. 5. *All this is mighty well*, It is easy enough to say this, but plausible as it sounds, every one knows that there is nothing in it.

l. 6. *friend on the floor*, the Attorney-General, Thurlow. For the meaning of 'on the floor,' see on p. 17, l. 30. Thurlow was making notes of points in Burke's speech to be replied to.

l. 7. *animadversion*, means lit. attention or notice; but generally signifies censure.

l. 10. *this knowledge*, the knowledge of law. The way to stop the criticism of a lawyer is to give him a good appointment. History certainly provides some justification for Burke's remarks about lawyers.

l. 13. *Abeunt studia*, etc., Ovid, *Heroid.* xv. 83. Cf. "Histories make men wise: poets witty: the mathematics subtle: natural philosophy deep: morals grave: logic and rhetoric able to contend. *Abeunt studia in mores.*" (Bacon, *Essay* 50); and "It is not without truth which is said, that studies have an influence and operation upon the manners of those that are conversant in them." (*Advancement of Learning*, bk. i.)

l. 16. *of a less mercurial cast*, of a less lively temperament, more stolid. Mercurial means, literally, like quicksilver: judge of an ill principle, only decide that there is something amiss in the Government when they have actually begun to suffer.

l. 18. *judge of the pressure*, They do not say that a policy is bad because it is oppressive, but that it must be oppressive because it is bad.

l. 19. *They augur*, etc., they can see it coming. For the literal meaning of *augur*, see on p. 39, l. 2.

l. 20. **and snuff**, etc., just as the dog's sense of smell enables him to detect the presence of an animal before he sees it, so the ingenuity of these men enables them to anticipate the measures of Government before they are passed. *Snuff*, scent. *Tainted*, viz., by the smell of the animal.

l. 23. **it is not merely moral**, etc., it is not a matter affecting character, but is an unalterable physical circumstance.

l. 29. **You have, indeed**, etc., it is true that you have ships which can carry your forces to the most distant parts of the earth. The ships carrying troops are compared to birds carrying thunderbolts in their talons (pounces) with reference to the eagle who, in the Roman mythology, had charge of the thunderbolts of the god Jupiter.

l. 33. **So far**, etc., referring to the story of Canute ordering the flow of the tide to cease. Burke means that England could not possibly conquer the Americans in a war carried on on the American continent.

l. 34. **Who are you**, etc. In what are you superior to other men that you should expect nature to remove obstacles for you alone? The metaphor is from a horse champing his bit.

P. 85, l. 1. **in all the forms**, whether the imperial power be a despotism, or a constitutional monarchy, or a republic.

l. 2. **in large bodies**, etc., in large empires, the power of the central government must be weak in the distant provinces. The metaphor is from the circulation of the blood. Burke's statement requires qualification. It is contradicted by the strength of the British Government in its overseas possessions. Much less depends on distance than on the character of the ruling government.

l. 3. **Nature has said it**, it is an unalterable law.

l. 5. **Crimea and Algiers**, Algiers is the capital of Algeria, a district on the north coast of Africa, which since 1830 has been under French rule. The Crimea, a peninsula of S. Russia, has been in the hands of Russia since 1757. Brusa and Smyrna are on the coast of Turkey in Asia.

l. 6. **Despotism itself**, etc. Even a ruler with absolute power, and much more a Government like yours, is obliged to higgie and bargain with his subjects as to the amount of obedience he is to get from them. Burke is thinking of a bargain between a hawker and his customers. The hawker does not get all he asks, but all he can. Similarly, the Government does not get as much obedience as it would like, but as much as it can. **To truck** means, literally, to barter or exchange. **Huckster** is the same word as hawker, and means, literally, to stoop under a burden. The hawker carries his pack on his back.

l. 8. with a loose rein, like a driver who allows his horse to go his own pace.

l. 10. in his centre, at home. If he dispersed his forces throughout his empire, he would not have the means of enforcing his authority at home.

l. 11. Spain, etc. You have nothing to complain of. You are as well obeyed as other imperial powers, if not better.

l. 16. capital, chief. They are descended from Englishmen; their government is popular; they are dissenters in the North; they are slave owners in the South; they study law, and are far from England.

l. 19. the first mover, Burke probably had in his mind the *primum mobile* of the Ptolemaic astronomy. The heavenly bodies, it was thought, were set in a series of spheres, having the earth as their common centre. The outermost of these spheres was called the 'primum mobile' or 'first moved.' It completed its revolution in twenty-four hours, and communicated its movement to the inner spheres. Bacon similarly compares the sovereign to the *primum mobile*, Essay xv., "The motions of the greatest persons in a government ought to be as the motions of the planets under *primum mobile* (according to the old opinion), which is, that every one of them is carried swiftly by the highest motion, and softly in their own motion."

l. 24. much less with theirs, because, as already explained, what they understand by freedom is freedom from arbitrary taxation. 'A consuming fire' is a Biblical expression.

l. 27. I do not mean, etc., the question is not whether the American character is admirable or not, but how the Americans, their character being what it is, are to be dealt with. Nobody doubts that the task of governing them would be easier if they were less independent.

l. 29. smooth, unresisting. accommodating, ready to meet our wishes.

l. 30. Perhaps ideas, etc., it would be pleasanter for us if they could think themselves free, though arbitrarily taxed.

l. 33. held in trust, etc., as property is held by a guardian for his ward so long as the ward is under age.

P. 86, l. 1. in the name of God, the words show how serious the question is.

l. 3. with all its imperfections, etc. Hamlet's father relating the circumstances of his death tells how he was

"Cut off even in the blossoms of my sin,
Unhousel'd, disappointed, unaneled,
No reckoning made, but sent to my account
With all my imperfections on my head."—*Haml.* i. 5. 79.

l. 6. to determine something, cf. 'Let us, Sir, embrace some system or other,' etc., p. 58, l. 4.

l. 9. Every such, etc., because the discontent of the Americans was naturally increasing.

l. 12. monsters, prodigies. He is referring, as he goes on to explain, to the upstart of long accepted opinions.

l. 13. unnatural, the quarrel between England and her colonies was like a quarrel between parent and child.

l. 16. reasoning, theory.

l. 19. the popular part, the representative assemblies. They were summoned by the Governors, who were nominated by the Crown.

l. 24. operose, laborious.

l. 28. finding all passage, etc., being unable to give expression to their grievances through their assemblies, because these assemblies were suspended.

l. 33. Evident necessity, etc., the whole population have quietly acquiesced in arrangements which they saw to be necessary.

l. 35. Lord Dunmore, Governor of Virginia.

P. 87, l. 2. Obedience, etc., the real government is the body which is obeyed.

l. 7. artificial media, such, for instance, as royal charters or Acts of Parliament: positive, as opposed to *natural*, signifies anything which is accepted by convention. The English constitution is positive in the sense that it is the one under which the English have agreed to live. There was nothing to prevent them from choosing a different one if they had liked; nor is there any reason in the nature of things why it should be accepted out of England.

l. 9. The evil, etc. Here again the student will notice how Burke sees the permanent lessons taught by events.

l. 18. feeling, actual experience.

l. 28. fundamental principles, such, for instance, as the importance of government to general well-being.

l. 33. I am much against, etc. This sentence is very characteristic of Burke. He was so impressed with the value of social order and with the difficulty of creating it, that he shrank from any attack upon opinions, feelings, or even prejudices that in any way tended to maintain it. When he considered how naturally lawless, selfish, passionate, and violent man is, the mere existence of society seemed to him, literally, a *mystery*.

P. 88, l. 1. concussion, shaking.

l. 2. *For, in order, etc.* This is very important. The policy pursued towards America was only a part of the general system of arbitrary government to which Burke, in his *Present Discontents*, had traced the existing discontent in England. Those who favoured despotism in America could not logically object to it when they themselves were made the object of it. If sovereignty as such includes the right to tax, it must do so in England, as well as in America. If the Americans were not justified in defending their freedom, England would not be justified in defending the very same freedom against the Crown.

l. 9. *for which our ancestors, etc., cf. 'The feelings of the colonies were formerly the feelings of Great Britain,' p. 12, l. 31.*

l. 24. *giving up the colonies, see on p. 45, l. 19.*

l. 26. *sally, an outburst.* It is generally applied to a sudden rush of a besieged garrison upon its besiegers.

l. 32. *It is radical, etc., it goes to the root of the matter.*

P. 89, l. 6. *unsettled, as yet unoccupied.*

l. 10. *hoarding, to hoard means to keep wealth unemployed: royal, because the land belonged to the sovereign.*

l. 12. *private monopolists, individuals to whom grants had been made, as distinguished from the royal monopolist, viz., the king.* If the king refused to make further grants of waste land, the individuals to whom such land had already been granted would, of course, have a monopoly of it. They alone would have it to let or to sell, consequently they could ask their own price for it.

l. 18. *they will carry on, etc., they would become nomads.* Burke probably had in mind a passage in Horace, in which the words *annual tillage* occur.

“Happier the Scythians, wont o’er townless wilds

To shift the wains that are their nomad dwellings :

Or the rude Getae whose unmeted soil

Yields its free sheaves and fruits to all in common ;

Thus each man toils but for his single year,” etc.

—*Od. iii. 24, 9, Martin’s Translation.*

l. 20. *back settlements, those in the interior.*

l. 28. *hordes, from úrdú, the Tartar word for a royal camp.* They would degenerate into barbarians, and would overrun civilized America, just as the Asiatic tribe of Tartars had, at times, overrun and wasted, for instance, the eastern parts of Europe, and the northern parts of India. The name *Tartar* should be spelt *Tatar*. The *r* was introduced to make their name describe them. They were regarded as fiends from Tartarus, the Greek word for *hell*.

l. 31. **comptrollers**, another spelling of *controller*, control being short for counter-roll. A controller is one who keeps a duplicate register by which to verify the original.

l. 34. **blessing**, the word signifies any gift, favour, or privilege conferred by God. "So God created man in his own image, in the image of God created he him; male and female created he them. And God *blessed* them, and God said unto them, *Be fruitful and multiply*, and replenish the earth, and subdue it," etc. (*Genesis*, i. 27). Burke, as E. J. Payne points out, took the form "*Encrease and multiply*" from Milton (*P. L.* x. 730). Milton translated from the Vulgate, or Latin Bible.

P. 90, l. 1. **given to the children of men**, "The heaven, even the heavens, are the Lord's: but the earth hath he given to the children of men." (*Psalms*, cxv. 16.) Cf. Locke's *Treatise of Government*, bk. ii. ch. 5.

l. 5. **his title**, his right to his land.

l. 6. **wax and parchment**, legal documents, contracts. Deeds of sale, etc., are written on parchment, because of its durability, and are sealed with wax. Burke means that we have taught men to regard contracts as sacred. The result of the policy which Burke condemns would be to imbue men with the belief that "those may take who have the power, and those may keep who can." At the bottom of all Burke's thoughts about communities and governments there lay a certain mysticism. It was no irony, no literary trope, when he talked of our having taught the American husbandman "piously to believe in the mysterious virtue of wax and parchment." He was using no idle epithet when he described the disposition of a stupendous wisdom, "moulding together the great mysterious incorporation of the human race." To him there actually was an element of mystery in the cohesion of men in societies, in political obedience, in the sanctity of contract, in all that fabric of law and charter and obligation, whether written or unwritten, which is the sheltering bulwark between civilization and barbarism. When reason and history had contributed all that they could to the explanation, it seemed to him as if the vital force, the secret of organization, the binding framework, must still come from the impenetrable regions beyond reasoning and beyond history. (Morley.) See note on p. 87, l. 33.

l. 14. **hedging-in**, confining.

l. 16. **their marine enterprises**, their fisheries, of which Burke has already given so eloquent a description.

l. 20. **we must gain**, etc. It was a common fallacy that every restriction on the trade of one country must mean a corresponding gain to the trade of another country. Bacon says that "whatsoever is somewhere gotten must be somewhere lost."

The right of England to control American trade being allowed, it was, as Burke says, easy for them to punish America by imposing restrictions. The restrictions were often continued after the occasion for them had been removed under the idea that England gained by them. It was forgotten that a country can only buy with what it makes. To diminish American trade, therefore, was to diminish America's power of buying English goods.

l. 24. *direct and immediate*, etc. But the colonies would probably find allies amongst England's enemies.

l. 27. *to my poor understanding*, in my humble opinion. There is a very effective irony in this affected apology for what is plain common sense.

l. 31. *exploded*, See note on p. 15, l. 7. Tyrants attempt to enforce obedience by taking away the means of resistance.

P. 91, l. 2. *Spollatis*, etc. From the Roman satirist Juvenal (*Satire*, viii. 124).

l. 10. *your speech would betray you*, Your common language would betray your common origin. When Jesus was put on His trial before the Jewish high priest, Caiaphas, Peter, one of His disciples, attempted to disavow any connection with Him, "and after a while came unto him they that stood by, and said to Peter, Surely thou also art one of them : for *thy speech bewrayeth thee*" (*Matt.* xxvi. 73).

l. 11. *is the unfittest person*, etc., because he is so perfectly free himself. See note on p. 59, l. 14.

l. 15. *as a penalty*, This is said from the point of view of a member of the English Church.

l. 16. *The mode of inquisition*, etc. It is no longer possible, as it once was, to frighten heretics by the penalties of spiritual courts or the employment of military force. The *inquisition* was a Catholic Court for the trial of heretics. It was formally constituted in the middle of the thirteenth century. *Dragoon* signified originally a cavalry soldier armed with an infantry firearm, and trained to fight on foot as well as on horseback. The name was derived from the dragon's head worked upon the muzzles of the short muskets first carried by Marshal Brissac's horsemen in the year 1600 (Chambers). "In 1535 an Imperial Edict was issued in Brussels condemning all heretics to death ; repentant males to be executed with the sword, repentant females to be buried alive, the obstinate of both sexes to be burned." (Motley's *Dutch Republic*.) Students will remember Milton's sonnet on the massacre of the Protestants in Piedmont in 1655.

l. 20. *bottom, basis, foundation*. It is equally unalterable.

1. 21. **their books of curious science, their law books.** In the *Acts of the Apostles*, xix. 19, where a victory of the Christian Apostle Paul over some Jewish exorcists is described, it is said that "many of them also which used curious arts brought their books together, and burned them before all men." *Curious* means magical.

1. 23. **best read in, best acquainted with, through their study of Acts of Parliament, etc.**

1. 27. **chargeable, costly ; literally, burdensome.**

1. 28. **difficult to be kept, etc.** Cf. "Fierce licentiousness begets violent restraints. The military arm is the sole reliance ; and then, call your constitution what you please, it is the sword that governs. The civil power, like every other that calls in the aid of an ally stronger than itself, perishes by the assistance it receives." (*Present Discontents.*)

1. 30. **high aristocratic spirit, the pride which comes of a sense of superiority.** The word aristocracy means, literally, government by the best, that is, by the wisest and most virtuous. It acquired its present sense of a government of wealth and rank because the rich and the noble naturally arrogate to themselves the title of the best.

1. 31. **to reduce it, to bring it down, to lower it.**

1. 33. **panegyrists, eulogists.** The Greek word *panegyris* meant a public assembly ; and a *panegyric* is a complimentary speech such as would be delivered in a public assembly. Dunmore, in Virginia, had proclaimed "freedom to all indented servants, negroes, or others, appertaining to rebels," if they would "join for the reducing of the colony to a proper sense of its duty." (Bancroft, vol. vii.)

1. 34. **argue myself, etc.** See any reasons for entertaining a favourable opinion of it.

1. 36. **wild, made without reflection.** "To the African negroes bondage in Virginia was not a lower condition of being than their former one ; they had no regrets for ancient privileges lost ; their memories prompted no demand for political change ; no struggling aspirations of their own had invited Dunmore's interposition ; no memorial of their grievances had preceded his offers." (Bancroft.)

P. 92, l. 3. **auspicious, see on p. 74, l. 35.** It is ironical. **both these pleasing tasks, the task of compelling the slaves to accept freedom, and of compelling the Americans to submit to despotic rule.**

1. 7. **other people, Greek states and the Romans sometimes did this, when the citizen population was not sufficiently numerous to cope with a national enemy.**

l. 10. **dull, stupid.** Long years of cruelty alone produce intellectual torpor, but, besides this, there is nothing to stimulate the ingenuity of a slave. However skilful his work might be, it would bring no advantages to himself.

l. 12. **that very nation, England.** As the slaves knew that England forced them upon the Americans, they would not look upon an offer of freedom from England as disinterested.

l. 15. **An offer of freedom, etc.** What will the slaves think of an offer of freedom forwarded to them by the same English ship which carries a cargo of fresh slaves whom the Americans are unwilling to buy? Angola is on the west coast of Africa.

l. 19. **the Guinea captain,** the captain of a ship which sailed from Guinea with a cargo of slaves. Guinea is an extensive district on the west of Africa. It is north-west of Angola.

l. 22. **moral,** opposed to physical, as on p. 84, l. 23.

l. 27. **just as reasonable,** that is, just as unreasonable. The lover in the play, who was at a distance from his beloved, wished that it might be possible for them to come together in a moment of time. So English politicians complained of the distance which separated America from England, and made the task of governing it more difficult. The two lines quoted by Burke are given in *Martinus Scriblerus*, ch. xi., where this "modest request of two absent lovers" is given as an example of the Hyperbole, or Impossible. See Elwin and Courthope's edition of Pope, vol. x., p. 381. "The memoirs of Scriblerus extend only to the first book of a work, projected in concert by Pope, Swift, and Arbuthnot, who used to meet in the time of Queen Anne, and denominated themselves *the Scriblerus Club*. Their purpose was to censure the abuses of learning by a fictitious life of an infatuated scholar. They were dispersed; the design was never completed; and Warburton laments its miscarriage, as an event very disastrous to polite letters." (*Johnson's Life of Pope*.)

l. 30. **alterative,** which can change the Americans.

l. 31. **not quite easy,** absolutely impossible. In saying that 'there are difficulties in the way of removing the Atlantic,' Burke is laughing at those who thought that America could be governed as if the Atlantic did not exist.

l. 33. **that,** connected with *if*, on which the sentence depends. "If it is desperate, and if it seems certain that the spirit will continue."

P. 93, l. 2. **a great deal too big,** You cannot take legal proceedings against a whole nation, or put a whole people in the dock.

l. 3. **should,** we should say *would*.

l. 4. **in reason and policy**, common sense tells us that there is a difference between a local riot and a general rebellion, and it is unwise to make no difference between them.

l. 10. **pedantic**, see on p. 11, l. 25. It may of course be argued that a general rebellion is an offence, and that offences are punishable by law. The answer to this must be that there are different kinds of offences.

l. 12. **drawing up an indictment**, framing a charge.

l. 14. **Sir Edward Coke**, When Raleigh was prosecuted for complicity in plots against James I., Sir Edward Coke, then Attorney General, conducted the prosecution. He disgraced himself by the abusive epithets which he addressed to Raleigh, calling him 'a monster,' 'a viper,' 'the rankest traitor in all England,' 'a damnable atheist,' and 'a spider of hell.' Coke afterwards rose to be Chief Justice of the King's Bench and Privy Councillor. From the time that he was first raised to the Bench in 1606 he became one of the greatest champions of law as against arbitrary government. He is one of the greatest of English writers on law.

l. 15. **at the bar**, the part of the court where the prisoner stands.

l. 16. **ripe, ready, prepared**: **gravest public bodies**, the Colonial Assemblies.

l. 18. **charged with**, entrusted with the care of.

l. 19. **upon the very same title**, viz., as a popular representative. *Title* means a legal right.

l. 20. **for sober men**, etc., not becoming for moderate men. It is a most extravagant proposal.

l. 22. **Perhaps, Sir**, etc. Notice once more how Burke sees in particular events and proposals an occasion for general reflections and an enunciation of general principles. The proposal to punish America involves the assumption that every assertion of a right or every request for a privilege on the part of a subject country is criminal. This suggests to Burke a consideration of the nature and limits of imperial authority. On pp. 60-1, he argues that the function of the central government is to supervise, not to supersede, local authorities.

l. 27. **and nothing but**, etc., when all the subjects are slaves there will of course be no assertion of independence. But universal slavery is like universal death. In a slave population all feeling and energy are dead. Who would wish to purchase uniform submission at the cost of universal slavery?

l. 32. **ill blood**, bad feeling.

l. 35. **The claim of a privilege**, etc., in the very act of asking

any one for a favour we allow that it rests with him to grant or to refuse it. The Latin word *privilegium* meant a law against, or an ordinance in favour of, an individual.

P. 94, l. 8. to beat, because the drum gives the signal.

l. 9. under the ban, to proclaim them rebels. See note on p. 9, l. 12. The word *ban* always signifies that it is a punishment which is proclaimed. For instance, it is applied to an interdict, or Papal sentence of excommunication.

l. 10. no distinction, viz., between different kinds of obedience. They will argue that submission is in itself slavery.

l. 14. not ... quite convenient, notice how the effect is heightened by the ironical understatement.

l. 20. frightens me, I am afraid of deciding unjustly in my own favour.

l. 23. judicial, impartial.

l. 26. as often decided, Cf. "In all disputes between the people and their rulers the presumption is at least upon a par in favour of the people. Experience may perhaps justify me in going further. When popular discontents have been very prevalent, it may well be affirmed and supported that there has been generally something found amiss in the constitution or in the conduct of government." (*Present Discontents*.)

l. 28. abstract, considered without reference to the fairness or expediency of exercising it in any given circumstances.

l. 31. the most odious, etc. Cf. 'the odious and suspicious *summum jus*,' p. 57, l. 15.

l. 34. the same party, viz., the Americans.

l. 35. a civil litigant, a party to a suit in which a right is the subject of dispute; in this case, England's right to tax: a culprit, etc., because, if I decide that England has the right, it will follow that the Americans have been guilty in denying and resisting the right.

P. 95, l. 1. whose moral quality, their guilt or innocence.

l. 2. Men are every now, etc. A man may occasionally find himself in the unusual position of having to decide in a cause affecting his own interests; but, because the decision rests with him, he is not free to decide as he pleases.

l. 5. There is, Sir, also, etc. If it is expedient to try Americans as traitors, why have not those, who have pronounced them traitors, brought them to trial?

l. 10. addressed, presented an address to the Sovereign, asking for the application of this statute. See on p. 43, l. 13. For the statute of Henry VIII., see on p. 14, l. 20.

l. 16. **modes of public coercion**, the closing of Boston harbour and the stoppage of the trade of the colonies with England were really a blockade, which is an attempt to reduce a hostile power by starvation.

l. 17. **qualified**, short of an absolute declaration of war.

l. 20. **these juridical ideas**, the plan of bringing the Americans to trial for treason.

l. 25. **for the time**, considering how short the time is over which they have extended.

l. 35. **of criminal process**, of bringing them to trial as rebels.

P. 96, l. 2. **if you please**, if you prefer the expression. Burke has already said that they would have preferred a more accommodating spirit in the Americans (p. 85, l. 28).

l. 8. **seal**, from the Latin *sigillum*, a diminutive of *signum*, a sign, or mark.

l. 19. **startle**, start, show signs of astonishment. We now use the word transitively.

l. 24. **the policy**, what it is expedient to do.

l. 26. **a power excepted**, this was Chatham's contention.

l. 28. **polity**, the Greek word for constitution, or form of government.

l. 29. **the charter of nature**, See note on p. 82, l. 8.

l. 36. **there is no sure footing**, etc., it is not possible to decide with certainty between them.

P. 97, l. 1. **the great Serbonian bog**, (Milton, *P. L.* ii. 592.) The Serbonian bog is the Lake Serbonis. Damietta is a town near the easternmost mouth of the Nile, and Mount Casius is on the coast, further east.

l. 3. **I do not intend**, I shall not, as many men deserving of respect have done, engage myself in the discussion of that insoluble question. No reader can fail to be struck by the sentences which follow.

l. 13. **your evidence-room**, the room in which a man keeps his securities, and all legal documents proving his right to his property. A title means a legal right. England's *titles* are of course preserved in acts of parliament, charters, etc.

l. 14. **magazines**, storehouses, but used specially with reference to military stores.

l. 17. **my suit**, what I am anxious to gain or keep, viz., America. Burke has already said that the value of the object would be diminished by a contest (p. 78, l. 32). Here he means that they might be beaten in the contest, and so lose America altogether.

l. 21. **by a unity of spirit**, etc., our motive or policy should be the same, whatever subordinate country we are dealing with, viz., to make all contented. The mode of producing contentment will differ from country to country, and will vary with times and circumstances. Burke's language is a reminiscence of a passage in St. Paul's *1st Ep. to the Corinthians*, xii. 4, "Now there are diversities of gifts, but the same Spirit. And there are differences of administrations, but the same Lord. And there are diversities of operations, but it is the same God which worketh all in all."

l. 36. **to admit ... into an interest**, etc., to allow them to share the benefits of it.

P. 98, l. 6. **upon its understood principle**, as an act the avowed object of which was revenue, and not control of trade. A mere repeal of duties is not now sufficient, because the Americans will not feel sure that it will not be followed by an imposition of other duties, just as the repeal of the Stamp Act was followed by Townshend's Act, and all the acts of coercion which have been passed to enforce it. To give the Americans confidence, and to protect yourselves against temptation in future, you must give and record a formal promise that the policy of taxing for revenue has been once and for all abandoned.

l. 8. **an unconditional abatement**, an absolute and unqualified abandonment. To *abate* means, literally, to *beat down*.

l. 15. **I have taken ... measure**, I am mistaken as to what it is. An equivalent expression is, "I have not gauged it correctly."

l. 17. **American financiers**, men who form their opinions as to what should be done on a consideration of what we shall gain or lose in money. Burke's policy was not opposed on the ground that the repeal of the taxes would diminish the English revenue, and would throw upon the English charges which the Americans ought to bear. It was opposed through fear that repeal might lead to a demand for further concessions.

l. 18. **too acute, too sharp, too clever**. We see danger where there is none: **too exquisite**, too careful or ingenious. A wise man, when he is in danger, thinks first how he is to get out of it. A drowning man would not refuse help for fear that, when he got to land, his helper might ask for a reward. For the meaning of *exquisite*, see on p. 30, l. 28.

l. 28. **a gentleman**, a Mr. Rice.

l. 32. **the arguments**, viz., that the commercial regulations are neither oppressive to America nor profitable to England.

P. 99, l. 1. **the noble lord**, etc. See on p. 68, l. 35: **shall**, we should say *will*. The word *shall* connotes obligation or compulsion; so it was not unfrequently used to emphasize the conviction that what was predicted was quite certain to happen.

l. 5. **by the natural**, etc. They trade with us because they find it profitable to do so.

l. 7. **in this posture of the debate**, when it is necessary to reply to the argument that it is unfair to add the burden of taxation to the burden of the trade laws, and to enrich ourselves by taxation as well as by commercial monopoly.

l. 10. **experience**, our having tried and failed : **the nature of things**, the character of the Americans and their distance from England.

l. 13. **press themselves**, they are so obvious that none can help seeing them.

l. 16. **trance**, a temporary suspension of animation.

l. 17. **as a counter-guard**, etc., for fear that, if we repeal the taxes, we shall have to repeal the trade laws too.

l. 21. **members**, parts ; literally, limbs.

l. 24. **the pamphlet**, written by Dr. Tucker. See note on p. 45, l. 19.

l. 26. **idolising**, See on p. 30, l. 5.

l. 27. **still...in former times**, Now that our trade is so wide and so firmly established, the trade of any one country is less important to us than it was in earlier times. A firm that does a large business is indifferent to the loss of an individual customer. To a small trader every customer is of importance.

l. 29. **the market**, literally, the place where they can sell their goods ; and so, the sale of them. If they might sell where they liked, they could sell much more than they do at present.

P. 100, l. 6. **we have to see**, etc. There are two very simple tests to decide what the real grievance of the Americans is—first, see what they complained of first ; second, remove the taxes, and see if their complaints cease.

l. 16. **with decency**, It is unseemly to charge them with lying when you cannot support the charge.

l. 19. **not on their own acts**, etc., not for something which they have really done, but for something which you suppose they are going to do.

l. 22. **converting your ill-will**, etc. They are to be punished on account of your ill-natured suspicions.

l. 23. **But**, The word introduces the objection of an imaginary opponent.

l. 24. **fact**, because previous concessions have not been followed by further demands : **reason**, because the natural tendency of kindness is to beget contentment and goodwill.

1. 25. **panic**, unreasonable, ungrounded. The sudden fright which sometimes seizes bodies of men was thought by the Greeks to be inspired by the god Pan.

1. 29. **to make a rule for itself?** to make it an exception to the general rule that a sovereign may properly remove grievances. Burke emphasizes the reasonableness of his own arguments by showing the absurdity of their opposites.

1. 35. **divinations**, guesses.

P. 101, l. 6. **I set out**, etc. Instead of inventing a plan of my own, I determined upon proposing to do what our ancestors had already done in similar cases.

1. 17. **consult the genius of**, etc., do what they thought he would have done. Philip II., son of the Emperor Charles V. and Isabella of Portugal, ascended the throne of Spain in 1556. This dynasty continued until the year 1700. Charles V. inherited the throne of Spain from his mother.

1. 19. **the most perfect standard**, he was a stupid man and a most intolerant bigot. He married Queen Mary of England.

1. 21. **consult the genius of**, etc., follow constitutional precedents.

1. 23. **it was ... piety**, that is, in the attitude of mind proper to one who listens for the inspired utterances of Deity. See on p. 80, l. 33.

1. 24. **capital**, leading, chief.

1. 27. **by a despotic power**, it was split up into a number of independent chieftainships. The basis of social organization among the Irish Celts was *the sept*, corresponding to the Scotch clan. The country was conquered by Henry II. in 1172.

1. 29. **is disputed**, it certainly did not exist according to the present form. Even the Saxon Witangemote, or assembly of wise men, sank very early into a gathering of temporal and spiritual peers and royal officials. The Great Council of the Norman kings was not any more representative than the Witangemote had been. It was a royal court of feudal vassals. It had no power of refusing grants demanded by the crown, and it was only summoned at the pleasure of the crown. From the time of Henry II., however, its meetings became more regular, and its functions more important. The great reforms which marked his reign were carried in the Great Council, and even financial matters were suffered to be debated there. (Green, *Short History of the English People*, pp. 167-8.)

1. 32. **she instantly communicated**, the Irish Parliament was always subordinate to that of England. The famous *Poyning's Act*, passed in 1494, subjected Ireland to all laws passed by the English Parliament, and deprived the Irish Parliament of all

power of initiating legislation. No measures could be submitted to it which had not previously received the sanction of the King and the English Privy Council.

1. 36. the roots, etc., our representative system has grown out of the occasional assemblies of feudal vassals summoned by the Norman kings. In process of time the crown found it necessary to summon certain lesser barons and knights from each shire, because grants made in the Council were only binding on those members who attended it. Theoretically, the knights represented only the lesser barons, but as from the 13th century they were, in practice, elected by the whole body of rural freeholders in the shire from which they were sent, they became *representatives of the shire* (Green). The word feudal is from feud, a fief, that is, land held from a superior. Fief is from a German word *vieh*, signifying cattle, and thence property.

P. 102, l. 3. of weight and consequence, Not only did the Great Charter regulate the form of the Great Council, but it first recognized the powers of the Council over taxation, and established the principle that no burden beyond the customary feudal aids might be imposed "save by the Common Council of the realm" (Read Green, pp. 167-171).

1. 4. churlishly, boorishly. The word churl, applied to the Saxon serf, naturally came to signify a rude fellow.

1. 7. to all Ireland, it was restricted to the district occupied by the English settlers, which was called "the English Pale."

1. 9. Your standard, your power, literally, your national flag.

1. 11. Sir John Davis, Chief-Justice under James I. He published a book called *Discovery of the true causes why Ireland was never entirely subdued till his Majesty's happy reign*.

1. 13. was five hundred years, referring to the pacification of the island in the time of King James. In the following sentences he refers to the attempt made by the Earl of Essex, under Elizabeth, to put down the rebellions which were caused mainly by the attempt to force the Catholic religion on the people. At the death of Elizabeth the flight of the native leaders left the island at the mercy of James. But the island was not subdued. This was not effected until the terrible conquest of William III., when "the conquered people, in Swift's bitter words of contempt, became 'hewers of wood and drawers of water' to their conquerors. From that time until the very eve of the French Revolution Ireland ceased to be a source of terror and anxiety to England" (Green).

1. 16. civility, civilization.

1. 18. It was not, etc., it was not conquered by force, but won over by the benefits of English rule.

l. 19. **From that time**, that is, from the time of the settlement of James I. By a *general* parliament he means one in which Irishmen as well as Englishmen in Ireland could sit.

l. 21. **You changed**, etc., alluding to the occupation of great part of the country by English settlers, and to the establishment of the Protestant religion.

l. 23. **kings**, viz., the English sovereigns.

l. 26. **by usurpation**, viz., by Cromwell.

l. 27. **the restoration**, viz., of Charles II.

l. 28. **Revolution**, that, namely, of 1688. It was *glorious* to Burke, because it was an assertion of Whig principles, which he regarded as constitutional principles. It prevented the attempted perversion by the Stuarts of the English government into a despotism. Burke called it 'a revolution not made but prevented.'

l. 31. **our strength and ornament**, unfortunately Ireland was rather a source of weakness and a discredit to England. The political disabilities of the Catholic inhabitants, and the superior privileges of the resident English Protestants were of themselves sufficient to make Ireland disaffected.

l. 34. **on the hinge of**, when they were impending. He refers to the treatment which the country experienced from Cromwell and William III.

l. 36. **they make an exception**, The common saying that 'the exception proves the rule' is, literally, a contradiction in terms. A rule is a statement of what always happens. If a thing happens always, there are no exceptions to it. If there are exceptions to it, it does not happen always. What the saying means is that our belief in a rule is strengthened if we can see why an apparent exception to it is not a real exception. We must not argue to what the normal policy of a country is from its policy in the exceptional circumstances of a revolution.

P. 103, l. 1. **None of your own**, etc. If England is to have no privileges which have not at some time and under some circumstances been suspended, she will have none at all.

l. 4. **lucrative**, ironical. If you had been in the habit of taking money instead of receiving it, you would not have got so much as you have got. For the meaning of **supply** see on p. 8, l. 15.

l. 6. **Your Irish pensioners**, all recipients of pensions who are paid out of Irish revenues.

l. 10. **that only source**, viz., free grants as opposed to exactions of money.

l. 14. **by Edward the First**, Llewellyn, Prince of Wales, was killed in a skirmish in 1282, and with his death the independence of Wales expired (Green, p. 162).

l. 18. **lords marchers**, literally, lords of the boundaries.

l. 20. **heterogeneous**, comprising elements differing in kind. It differed from an ordinary military occupation in being permanent. It differed from ordinary government in that it preserved order by military terrorism.

l. 23. **all civil power**, etc., this power is delegated to him. During the occupation of a country by a hostile force, necessity may justify the commander-in-chief in dealing with the civil population according to military law.

l. 24. **the genius**, the character, or spirit.

l. 25. **restive**, see on p. 79, l. 28.

l. 26. **composed**, quieted for a time.

l. 30. **incursion**, inroads, raids.

l. 35. **with something more**, etc., you have done by executive order what perhaps required an Act of Parliament.

P. 104, l. 2. **an instruction**, an order to General Gage, the English commander in America.

l. 4. **as you have done**, viz., by reviving the statute of Henry VIII. : **with more hardship**, because America is farther off. As Burke points out in his *Letter to the Sheriffs of Bristol*, an American, if put on his trial in England, could not call witnesses in his favour.

l. 8. **fairs**, from the Latin *feriæ*, literally, a holiday. A *fair* combines business with amusement. When communications were less perfect than they are now, it was the custom to hold periodical markets in each district, which were called *fairs*.

l. 9. **from fisheries**, etc., referring to the Act of Lord North.

l. 13. **we rub our hands**, a sign of being pleased. Burke's opponents will argue that the coercion of Wales is a precedent for the coercion of America. Burke replies that the ill success of the policy in Wales should be a warning not to try the same policy in America.

l. 16. **rid**, rode, oppressed : **an incubus**, a nightmare.

l. 20. **The march**, etc., men are slow to learn.

l. 22. **vexation to violence**, "His mischief shall return upon his own head, and his violent dealings shall come down upon his own pate" (*Psalms*, vii. 16).

l. 24. **the ill husbandry**, the unthriftiness. You will get no money from those whom you oppress. You will not enrich your-

selves by attempting to plunder your subjects. *Husbandry*, like *economy*, means, literally, the management of a house.

l. 25. *the tyranny*, etc., cf. p. 91, l. 10, 'An Englishman is the unfittest person,' etc.

l. 30. *the entire and perfect rights*, etc. Burke means that it corresponded entirely to the Declaratory Act passed by Rockingham's government.

l. 33. *the marches*, P. 103, l. 13. A *march*, in the sense of a boundary, is the same word as *mark*.

P. 105, l. 4. *as by a charm*, as if by a spell : as if by magic.

l. 7. *When the day-star*, etc. When they were cheered by the light of British freedom. "We have also a more sure word of prophecy ; whereunto ye do well that ye take heed, as unto a light that shineth in a dark place, until the day dawn, and the day star arise in your hearts" (2 Peter, i. 19).

l. 9. *Simul alba*, etc., political disturbances subsided, as a storm at sea subsides when the constellation of Castor and Pollux, or the Twins, rises. The quotation is from the Latin poet, Horace, *Od.* i. 12. 27.

l. 21. *the county palatine*, this name was given to the district subject to the jurisdiction of a Frankish *count*. In England these counties were governed by a temporal or spiritual peer. The word *palatine* is from the Latin *palatium*, a palace. Chester and Durham were no doubt made separate regalities on account of their proximity to the frontiers of Wales and Scotland. Chester and Durham became palatine under William I. Chester had not merely its own courts, judges, constable, and steward, but a parliament, and was not represented in the national Parliament till 1549. Cheshire was assimilated by Henry VIII. Durham ceased to be a county palatine under its bishop in 1836 (*Chambers*).

l. 30. *in most humble wise*, the order of the words is, 'The inhabitants shew in most humble wise (fashion) unto,' etc. *Shown* is the 3rd person plural of show. *Wise*, in the sense of manner, occurs in like-wise, otherwise. Another form of *wise* is *guise*.

l. 32. *where*, whereas.

P. 106, l. 1. *to have*, from having : *knights and burgesses* correspond to our county and borough members. For *knights* see p. 101, l. 36. A *burgess* means, literally, one belonging to a borough.

l. 3. *disharisons*, used in the general sense of *deprivations*.

l. 10. *as far forth as*, to the same extent as.

l. 13. *ne*, nor.

l. 21. **audacious**, this is the epithet which would be applied to it by those who were zealous for the absolute powers of Parliament.

l. 22. **a libel**, a seditious publication.

l. 24. **toss it over the table**, refuse to receive it. Cf. 'put under the table,' p. 34, l. 32: **Did they burn it**, etc., an extreme mode of marking its criminality.

l. 26. **without softening**, etc., without in any way toning it down.

l. 29. **and consecrated**, etc. By adopting it as a preamble to an Act of Parliament they made any violation of its principle equivalent to an act of sacrilege.

l. 35. **superstition**, an irrational worship of what does not deserve worship. The proper remedy for superstition is a true religion, not no religion.

P. 107, l. 2. **the pale**, the limits. The word signifies literally *a stake*, and so a place fenced in.

l. 5. **without affecting ... equity**, just as Burke wished now to make a concession to the Americans as a matter of fairness, leaving the question of right untouched.

l. 26. **But**, the word introduces the objection of an imaginary opponent. **What**, marks a contemptuous rejection of such an argument.

l. 27. **electric**, magnetic. It might with some plausibility be argued that the Welsh were as good as represented, because the English members knew their wants and would look after their interests. But this could not be said of a distant country like America, of which Englishmen knew nothing.

P. 108, l. 5. **Opposuit natura**, Juvenal, *Sat.* x. 152, says that Hannibal in his march towards Italy overcame the snowy Alps with which *nature barred his way*. Burke, of course, is referring to the ocean which separated England and America.

l. 9. **see my way to it**, a common expression for, I do not see how it is to be managed.

l. 11. **the arm**, etc., we are not unable to remove their grievances, simply because we cannot give them representation in our own Parliament. "The Lord's hand is not shortened, that it cannot save" (Isaiah, lix. 1).

l. 19. **unproductive invention**, limited or barren ingenuity: **to tax**, to call upon it to suggest a plan. When Parliament in committee of supply has sanctioned the revenue to be raised in the year, it goes into committee of *ways and means* to consider by what taxation the revenue is to be raised.

l. 21. the Republic, an ideal commonwealth sketched by Plato, the Greek philosopher. The *Utopia* of Sir Thomas More was first published in 1516. It was really a criticism of English laws and customs, just as the *Republic* of Plato was a satire on Greek politics. The word *Utopia* has come to mean any impracticable ideal. The *Oceana* in which Harrington set forth his ideal of a commonwealth was published in 1656. *Oceana* is England.

l. 23. It is before me, etc., it is obvious: the rude swain, etc., "and the dull swain Treads on it daily with his clouted shoon" (Milton, *Comus*, 633). *Clouted shoon* means *patched shoes*.

l. 25. for the theory, as regards the principle.

l. 33. by grant, by voluntary contributions from the American Assemblies.

l. 34. the legal competency, this had been disputed.

P. 109, l. 1. dutiful, loyal.

l. 3. supply, see on p. 8, l. 15.

l. 8. I think, etc., I think that the adoption of my measure will secure peace to the British Empire. The metaphor is suggested by the temple which the Romans dedicated to Concord.

l. 12. with but tolerable, etc., if you only avoid gross mistakes.

l. 17. management, skill.

l. 28. the description, the persons named in it.

l. 30. The second is like unto, etc., a reminiscence of Matt. xxii. 37, "Jesus said unto him, Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself."

l. 36. by lack whereof, for want of which representation.

P. 110, l. 2. commonwealth, general well-being. *Wealth* is the same as *weal*, prosperity.

l. 10. Non meus, etc., Horace, *Sat.* ii. 2. 1; imitated by Pope, *Sat.* ii. 2—

"Hear Bethel's sermon, one not versed in schools,
But strong in sense, and wise without the rules."

l. 18. It would be, etc., it would be an act of sacrilege to tamper with that which is to produce peace.

l. 20. I would not violate, etc., he still keeps up the metaphor of a mason building an altar to Peace. The Latin word *ingenuus* is used in the sense of 'native to the country.' Lucretius applied it in this sense to springs of water, and Juvenal to stone. In plain English Burke's meaning is—"I shrank from translating into the polished phraseology of modern times the rough but venerable diction of these ancient statutes."

l. 23. **tampering, meddling.** We generally speak of 'tampering with' something: restless, who cannot be satisfied with what they find; always anxious for change.

l. 24. **I can neither wander, etc.,** I cannot be at a loss or make a mistake.

l. 26. **not to be wise, etc.,** a possible rendering of a phrase which occurs in Paul's *1st Epistle to the Corinthians*, iv. 6. In the English Bible it is rendered, "that ye might learn in us *not to think of men above that which is written*, that no one of you be puffed up for one against another." Bisping's *Catholic Commentary* gives as a possible rendering—"that you may learn from us not to think (of yourselves or your position) beyond what is written": and he says that by 'what is written' may be meant either Christ's exhortation to humility, or Scripture in general, which often exhorts men not to extol themselves, or particular passages of Scripture, such as "The wisdom of this world is foolishness with God. For it is written, He taketh the wise in their own craftiness. And again, The Lord knoweth the thoughts of the wise, that they are vain" (1 Cor. iii. 19, 20).

l. 27. **to use nothing else, etc.** Paul, in his *2nd Epistle to Timothy*, i. 13, says, "Hold fast the *form of sound words* which thou hast heard of me, in faith and love which is in Christ Jesus." Burke means that it is as dangerous to deviate from the exact words of Parliament as it is to tamper with the actual text of divine revelation.

l. 34. **those who are resolved, etc.,** those who are determined always to find some weak point in what is said by others.

P. 111, l. 17. of George II., p. 24, l. 10.

l. 23. **Lord Hillsborough,** see p. 15

l. 28. **the noble lord,** p. 68, l. 35.

P. 112, l. 1. **on the paper,** in the resolution which I am submitting to you.

l. 7. **freemen,** the technical word to describe those who have inherited the full rights of citizens: **freeholders,** freehold is the name of a form of land tenure. Estates held for life and estates of inheritance rank as freehold. "The freeholders of a county were constituent members of the ancient county court; they had formerly the right to vote in the election of county coroners; and freehold property of the value required by modern statutes is a qualification for jurymen and parliamentary electors, and for certain public offices" (*Chambers' Encyclopædia*, s. v. *freehold*). Property qualifications have practically been abolished.

l. 10. **the several usage,** the practice which prevails in each of them.

l. 16. **the public offices,** those of the English Government.

l. 17. **paradoxically**, a paradox means, literally, whatever runs counter to commonly received opinion. Burke is thinking of Grenville. See note on p. 34, l. 7.

l. 22. **the law servants**, such as the Attorney-General and Solicitor-General.

l. 23. **if the crown could be responsible**, whatever is nominally done by the Sovereign is done by the Ministry who are his responsible advisers.

l. 27. **impeachable offences**, impeachment is the technical name for a charge of unconstitutional action against a Minister of the crown. Burke regarded impeachment as the great safeguard of the English constitution.

l. 32. **their own unfounded theories**, viz., that the colonial assemblies cannot make grants to the crown.

P. 113, l. 6. **the Indian wars**, the frequent wars with the North American Indians on their frontiers.

l. 7. **so high, so far back**. They were engaged in wars with France and Spain from 1690-7. In 1710 their struggle was with France.

l. 10. **the journals**, the records of proceedings in Parliament. Contributions made 'on requisition' and voluntary contributions did not, of course, appear in the journals.

l. 13. 1748, the year of the peace of Aix-la-Chapelle. Cape Breton, which was colonized by the French, was then restored to France.

l. 23. **advanced**, namely to England. They were obliged to borrow in order to give England what she wanted.

l. 26. **to us**, to the House of Commons.

l. 33. 1756, the first year of the Seven Years' War.

l. 35. **expressed in words**, etc. See on p. 43, l. 13.

P. 114, l. 15. **had gone beyond their abilities**, had granted us more than they could afford.

l. 28. **honourable to them and to you**, as showing their loyalty and your gratitude.

l. 27. **mortal, fatal**: miserable, contemptible.

l. 28. **the misguided people**, the English.

l. 29. **an unhappy system**, viz., that of taxing America. With all this evidence of the liberality of the Americans, it can never again be asserted that they must be taxed because they will not contribute.

P. 115, l. 4. **state, statement**: those untaxed people, those who were represented as paying no taxes were burdened with

the repayment of a debt which they had incurred on behalf of England.

l. 7. *sinking*, extinguishing. See on p. 34, l. 1.

l. 9. *sanguine*, hopeful.

l. 13. *requisitions*, Used in its technical sense of demands addressed by the English Secretary of State to the colonies for grants.

l. 14. *our tone became too high*, We became too imperious; we thought it beneath us to ask, and we resolved to take.

l. 17. *the sense*, what they felt and thought: *the crown*, referring to the message from the King quoted on p. 113.

l. 24. *let them and that*, etc. I will say no more about it.

l. 27. *the melancholy burthen*, etc., unhappily it fills and disfigures every page. The word *burden* means the refrain of a song. It is the French word *bourdon*, which means a drone-bee, and was probably intended to express its meaning by its sound.

P. 116, l. 2. *the utmost rights*, etc., viz., taxation of the unrepresented. He uses the word *utmost* because it was doubtful whether this was a 'right of legislature' at all.

l. 13. *imagination...fact...enjoyment...hope*, Will you throw away a certain revenue from voluntary grants on the chance of getting one by taxation? A bird in the hand is worth two in the bush.

l. 18. *to be moved*, to be formally proposed to the House; to be voted on.

ll. 19-29. *That it may...plantations*. See notes on p. 2, ll. 12-21.

P. 117, l. 3. *in the execution of the law*, Massachusetts being regarded as in a state of rebellion, it was thought that justice would not be done there to any who might be accused of committing acts of violence while upholding the law. Such persons, therefore, were to be removed for trial either to another colony or to England.

l. 8. *the better regulating*, See Introduction.

l. 16. *during the king's pleasure*, that is, until the Government thinks proper to restore the rights.

l. 21. *the restraining bill*, the bill which is alluded to in the opening paragraph of this speech.

l. 26. *partially*, unfairly, not impartially.

l. 30. *though the crown*, etc. See on p. 81, l. 18.

P. 118, l. 5. *the sheriff*, the officer whose business it is to see that the judgments of the court are executed. It is corrupted from shire-reeve, an officer of the shire.

1. 6. **returning officer**, the officer who summoned the jury. This duty was by the Act transferred to the sheriff. The object, of course, was to obtain a jury unfavourable to any one charged with an offence by Government.

1. 9. **The act**, etc. See on p. 117, l. 3.

1. 19. **the greatest treasons**, etc. For instance, Englishmen may organize a conspiracy against their own sovereign abroad. In the year 1858 an attempt was made on the life of Napoleon III. in Paris, and the French complained bitterly that the conspirators had been allowed to arrange their plans and manufacture their weapons in England.

1. 26. **a settled salary to the offices**, in the colonies in New England where the salaries were very low and were only voted from year to year, there were great complaints of the partiality of the judges.

P. 119, l. 2. **the courts of admiralty**, see on p. 31, l. 11.

1. 6. **the more decent maintenance**, at that time they received a part of the fines which they inflicted.

1. 16. **The congress**, that which met at Philadelphia. See Introduction.

1. 18. **consequential**, those 'corollary to' (p. 109, l. 5) his six fundamental propositions.

1. 22. **congruity, consistency**. Those who accept the six cannot logically refuse the three; but Burke hopes that even the rejection of the three will not prevent the establishment of permanent peace between England and America.

1. 31. **I prove too much**, namely, that if we have no right to tax the Americans, we have no right to legislate for them.

P. 120, l. 1. **wishing as little**, etc., as he had shown by his support of the Declaratory Act.

1. 6. **Mr. Grenville**, He had quoted the Act to show that there had been taxation without representation.

1. 10. **Lord Chatham**, In his reply to Grenville, Chatham said, "I come not here armed at all points with law cases and Acts of Parliament, with the statute-book doubled down in dogs'-ears, to defend the cause of liberty. If I had, I myself would have cited the two cases of Chester and Durham. I would have cited them to show that even under arbitrary reigns Parliament was ashamed of taxing a people without their consent, and allowed them representation" (Stanhope, v. p. 134).

1. 11. **no less**, he supported the privileges of the Americans as strongly as Grenville did the rights of Parliament.

1. 19. **to the case of subsidies**, and not of legislation.

1. 20. falls in exactly with, agrees with, resembles. Here again Burke argues that the question of taxing those who are unrepresented is, and has been acknowledged by Parliament to be, one which is to be regarded from the point of view, not of right, but of fairness.

1. 28. in any cool hour, when not under the excitement of anger.

1. 36. illation, inference.

P. 121, l. 1. any given part, the Crown and the two Houses of Parliament are the three parts of the British constitution, which is thus an organic balance of monarchical, democratical, and aristocratic elements. When defending the House of Commons the Englishman argues on democratic principles, but he does not push them to the extreme, because he knows that the democratic element in his constitution is combined with, and must, therefore, be limited by its other elements. Burke develops this point at some length in his *Appeal to the Old Whigs*.

1. 2. or even the whole of it together, an Englishman may submit to many limitations of his freedom which it would be hard to reconcile with his views of the English constitution. But he does not kick against them. Provided that he gets the maximum of advantage with the minimum of restraint, he is content.

1. 5. All government, in this life we are not to expect absolute perfection or perfect happiness, but must be content with the highest degree of either that is attainable under the circumstances. For the meaning of compromise, see on p. 57, l. 14. We must not expect to get all that we could desire, but must be prepared to give and take. Cf. "The rights of men in governments are their advantages: and these are often in balances between differences of good; in compromises sometimes between good and evil, and sometimes between evil and evil": and "one advantage is (by the English) as little as possible sacrificed to another. We compensate, we reconcile, we balance" (*Reflections on the Revolution in France*).

1. 7. We balance inconveniences, we weigh one against the other and choose the least. As there must be some inconveniences under any system, this is the only wise course.

1. 9. we choose rather, etc. It was a favourite idea with Burke that a tendency to political criticism was a sign of discontent. "The bulk of mankind are not excessively curious concerning any theories, whilst they are really happy: and one sure symptom of an ill-conducted state is the propensity of the people to resort to them." (*Letter to the Sheriffs of Bristol*.)

1. 11. natural, see on p. 82, l. 8. This is a point on which Burke dwells at great length in his *Reflections on the Revolution in France*. The revolutionists, who contended that governments must respect the rights of man, appeared to him to be attempting

to reconcile two incompatible things, the freedom of nature with the benefits of society. Burke's argument there is, that an appeal to the rights of men would justify an attack upon all governments. The real rights of men are those advantages which society was instituted to secure, and society cannot subsist without control. If men wish to abandon the state of nature for the state of society, they must submit to those limitations of their natural rights which social life requires. They cannot have the advantages of society and the freedom of nature too. Government is a limitation of man's natural rights for his own good. The extent and the mode of the limitation must depend on circumstances.

1. 13. *communion and fellowship*, the words are from a prayer in the English Church service beginning—"O Almighty God who hast knit together thine elect in one *communion and fellowship*, in the mystical body of thy Son Christ."

1. 15. *the purchase*, the purchase money, the price: *the immediate jewel*, etc., his freedom and self-respect. The phrase is borrowed from Shakespeare's *Othello*, iii. 3. 156—

"Good name in man and woman, dear my lord,
Is the immediate jewel of their souls."

1. 16. *Though a great house*, etc. The Americans will not purchase the honour of belonging to the English empire at the cost of being England's slaves.

1. 20. *None of us*, there is not one of us who, etc.

1. 28. *stake of liberty*, a share of freedom which would be in danger of being lost if any change were attempted. A *stake* means anything hazarded. For instance, it is used to denote the sum which a gambler risks.

1. 30. *the cords of man*, the considerations which influence men. E. J. Payne points out that the phrase is from *Hosea*, xi. 4, "I drew them with *cords of a man*, with bands of love."

1. 32. *metaphysical*, See on p. 56, l. 28, and p. 58, l. 18. Men are ruled by considerations of prudence. They act when some advantage is to be gained by acting.

1. 36. *sophistry*. See on p. 11, l. 25. The reference to Aristotle is to *Ethics*, bk. i., ch. 4. Elsewhere Burke says—"The excellence of mathematics and metaphysics is to have but one thing before you; but he forms the best judgment in all moral disquisitions who has the greatest number and variety of considerations in one view before him, and can take them in with the best possible consideration of the middle results of all."

P. 122, l. 4. *a superintending legislature*, See on pp. 60, 1 where Burke's view of the imperial capacity of Parliament is set forth.

l. 6. **not the rival**, when it does not attempt to supersede their local legislatures.

l. 13. **to value myself, to pride myself.**

l. 16. **which was preserved entire**, etc. Why should the empire be broken up by the concession to America of the same privilege which was granted, without any evil effects, to Chester and Durham? A united empire is not one of which every member is absolutely subject to a single power. The suzerainty of England is quite compatible with the existence of local privileges.

l. 23. **not an independent**, See on p. 101, l. 32.

l. 25. **sweetly and harmoniously**, perhaps a reminiscence of Pope, *Essay on Man*, iii. 293—

“Till jarring int’rests of themselves create
Th’ according music of a well-mixed state.”

l. 31. **no other unity**, Burke means that his opponents, who are fomenting discords, are more fairly chargeable with breaking up a united empire.

l. 33. **poor, humble.**

P. 123, l. 11. **a ransom by auction**, See p. 69, l. 3.

l. 16. **It is neither**, etc. It is not taxation because the money is to be offered by them: it is not a grant, because the sum is not to be what they choose to give, but what we choose to take.

l. 27. **a state auctioneer**, etc. For the meaning of the expressions in this sentence, see notes on p. 69, ll. 3-7 *seqq.*

l. 32. **the British proportion**, Not only is the share of each colony to be in proportion to its wealth, but the taxation of America as a whole must be to the wealth of America as the taxation of England is to the wealth of England.

l. 34. **by the back-door**, in an irregular manner. Properly all matters relating to money must be introduced, debated, and settled in the House of Commons. Under this proposal the contribution of America would be fixed by the Ministry, and merely submitted for formal sanction to the House.

P. 124, l. 3. **the counsel for**, the agent or representative of. Used in the same sense as when applied to the barrister who appears for a man in court.

l. 6. **ways and means**, See on p. 108, l. 19: **provincial**, because dealing with revenues to be raised in the colonies. The Romans used the word *provinces* to denote their foreign possessions.

l. 7. **it will delight**, it may choose to call itself. Burke speaks contemptuously of it as an innovation.

l. 14. I really beg pardon, etc. You must excuse my saying it—it is not a pleasant thing to say—but you know that you are not telling the truth.

l. 17. **their contingent**, their share of the imperial expenditure. Cf. p. 126, l. 2.

l. 18. **the importation**, into America. Such duties would have diminished the sale of English commodities by raising the price of them.

l. 22. **the quantum**, the amount. *Quantum* in Latin means *how much*.

l. 29. **general powers**, see on p. 33, l. 19.

P. 125, l. 1. **the outcry**, the bidding at the auction.

l. 4. **refuse all composition**, to compound means to obtain exemption from future payments by paying a lump sum down. A debtor is said to compound with his creditors if they, finding that he cannot pay the whole of his debts, agree to accept so much in the pound as a final settlement.

l. 5. **to**, to the amount of. Cf. 'to your quota,' l. 15.

l. 6. **in principle**, that is, as being imposed by the English Parliament: **as to production**, as to the amount of revenue which they yield.

l. 12. **but at the ports**, that is, you can only levy customs duties.

l. 15. **your quota**, the share which you determine that they ought to pay.

l. 17. **you give its death-wound**, England imposed a tax on American tobacco when it was imported, and she re-exported for sale in foreign countries much of what she imported. By taxing the export in Virginia she would raise the price of it, and so diminish her own import, and, consequently, her foreign sales of it.

l. 19. **the import**, the goods imported by the colony.

l. 26. **are so implicated**, the colonies touch one another at so many points, that a colony, which found its exports or imports taxed, could easily export or import what it wanted through a colony in which no tax was levied, and so evade the taxation. The only way to avoid this would be to levy the same tax in all the colonies. But that would be very unjust, because it would lay the same burden upon those who had, and those who had not, made money contributions.

l. 27. **the bill for prohibiting**, etc. This bill was at first intended to be applied only to the New England colonies, but it was afterwards extended to Pennsylvania, New Jersey, Maryland, Virginia, and South Carolina.

l. 32. **to exonerate**, used in its literal sense of 'to relieve of a burden.' It is now commonly used in the sense of 'to free from blame.'

P. 126, l. 4. **at every exigency**, whenever you are in need of money.

l. 9. **a treasury extent**, if an individual owes money to the Crown, a treasury extent may be issued, that is, his lands may be valued for the recovery of the debt. But if the whole colony owes a debt, whose lands are to be taken?

l. 10. **new restraining laws**, referring to Lord North's Fisheries bill.

l. 11. **new acts**, etc. See on p. 117, l. 1.

l. 14. **An intestine fire**, etc. There will always be the danger of an outburst in America, just as there is always a danger of an eruption of a volcano. The language is perhaps a reminiscence of Milton's "combustible and fuelled entrails conceiving fire" of *Ætna* (*P. L.* i. 232).

l. 21. **standing**, constant.

l. 24. **breaking the union**, on the Roman principle of ruling by creating divisions amongst the ruled. If the colonies could only be engaged in a quarrel with one another as to the fairness of their respective contributions, there would be no chance of their uniting against England.

l. 27. **to their taste**, palatable to them.

l. 28. **I will not suspect**, etc., a Minister must have some object in view when he introduces a measure into Parliament. As Lord North could not have expected to raise revenue, he must have hoped to produce discord.

P. 127, l. 3. **for certain colonies only**, namely, for those who elected to contribute in lieu of being taxed.

l. 5. **contingent**, not certain.

l. 9. **to whose influence**, etc. Cf. p. 67, l. 30.

l. 10. **win every inch**, the metaphor is from a general fighting his way through a hostile country.

l. 15. **I mean to spare it**, I have no further arguments by which I could hope to convince you.

l. 23. **No!** an expression of surprise that such a statement should be made.

l. 24. **of Refusal**, of giving or not giving as he pleases. Grants are large in proportion as they are given willingly. "Among the many excellent parts of this speech, I find you have got many proselytes by so cleverly showing that the way to get most revenue

is to let it come freely from them. This removes the only possible or plausible ground our adversaries had." (Duke of Richmond, Letter to Burke, June 16, 1775.)

l. 28. *It does not indeed*, etc., Burke goes into farthings to emphasize the pettiness of the views of his opponents.

l. 30. *it gives*, etc., loyal subjects will put the whole of their revenues at your disposal.

l. 31. *from whence only*, only men with the instincts of slaves will submit to have their money taken from them against their will.

l. 32. *Posita luditur arca*, Juvenal, *Sat.* i. 90, describing the gambling prevalent in Rome, says that when men sat down to play they risked their strong-box that is, their whole fortune, on the game. Just as a gambler had the chance of winning the whole fortune of his opponent, so England might look forward to winning the whole wealth of America. Burke is fond of metaphors drawn from the card table; cf. p. 66, l. 27.

l. 33. *at this time of day*, with all your experience.

l. 34. *a House of Commons*, the House of Commons, which was never obliged to employ force to raise revenue, and only contributed what it pleased to the Crown, ought to be the last body in the world to doubt the productiveness of the voluntary system.

l. 35. *accumulated a debt*, men of business would not have lent this amount to government unless they had felt sure that money would be voted for the repayment of the debt.

P. 128, l. 5. *its trust*, see note on p. 65, l. 10: Such a presumption, etc., he who suspects one government must suspect all governments.

l. 7. *penury of supply*, deficient revenue.

l. 8. *in nature*, so long as men are what they are, governments will not want money, for the reason given in the following sentence.

l. 12. *the stock*, the accumulated wealth. We use the word *capital*. The word *stock* will be familiar to readers of Adam Smith. When property is not safe there can be no motive for accumulating it.

l. 17. *could be squeezed*, etc., let governments apply as much pressure as they please, they can get nothing from them that have nothing. The *husk* is the dry shell from which the grain has been extracted: *politic*, political.

l. 24. *holds the balance of the state*, has supreme power in his hands. Burke means that all parties will be anxious to conciliate the government, because it is only through the government that they can secure the ends which they are anxious to realize. The

parties, etc., gamblers sit round a table, and each stakes a certain amount of money upon a given result. If the result is other than that on which a man bets, his stake is forfeited to the proprietor of the gambling house—the man who keeps the table. On the other hand, if a gambler wins, he receives so many times his stake from the proprietor. Political parties are compared by Burke to the players. Just as a player can only receive the profits for which he plays from the keeper of the table, so parties can only get their measures carried through the government.

l. 31. *Ease would retract*, etc., Milton, *P.L.* iv. 96. Burke has substituted *retract* for *recant*. A man may, when in difficulties, make a promise; but when the difficulties are over, he will refuse to be bound by it, on the ground that it was made under constraint.

l. 33. *compounding*, see on p. 125, l. 4.

l. 34. *poor*, contemptible.

l. 36. *so may I speed*, etc., a forcible mode of expressing his sincerity—'if I do not think so, I pray that I may fail in my object.'

P. 129, l. 10. *in loan*, in the form of a loan. See note on p. 11, l. 2.

l. 11. *if ever*, etc., the country was rich; the people were weak and unwarlike: the company was absolute and unscrupulous.

l. 15. *If America*, etc. Goods were imported from America into England to be re-exported for sale in other countries. The profits of the foreign sales exceeded the amount of the customs duties paid on importation.

l. 23. *with the enemies*, etc., viz., the French and the Spaniards, who had settlements in America as well as England.

l. 32. *light as air*,

"Trifles *light as air*

Are to the jealous confirmation strong

As proofs of Holy Writ."—*Othello*, iii. 3. 332.

links of iron, *Jul. Cæsar*, i. 3. 94.

l. 35. *grapple to you*, cling close to you.

"Those friends thou hast, and their adoption tried,

Grapple them to thy soul with hoops of steel."

Hamlet, i. 3. 62.

under heaven, a common Biblical expression.

l. 36. *let it be once understood*, etc., if they are once convinced that they cannot be subject to England without losing rights and privileges, they will revolt from you.

P. 130, l. 3. *the cement*, a favourite metaphor with Burke. He employs it again in his *Reflections on the Revolution in France*.

1. 6. **the sanctuary of liberty**, literally, a place in which liberty is safe—in which it would be sacrilege to violate it.

1. 7. **our common faith**, the worship of freedom. Englishmen all over the world will respect the authority of England so long as subjection to that authority means freedom.

1. 8. **the chosen race**, the privileged race. The expression is commonly applied to the Jews, who regarded themselves as a race specially favoured by God. "For thou art an holy people unto the Lord thy God: the Lord thy God hath chosen thee to be a special people unto himself, above all people that are upon the face of the earth." (*Deut.* vii. 6.)

1. 9. **turn their faces towards you**, Perhaps a reminiscence of *Daniel*, vi. 10, "Daniel went into his house; and his windows being open in his chamber toward Jerusalem, he kneeled upon his knees three times a day, and prayed, and gave thanks before his God"; and, ix. 3, "And I set my face unto the Lord God, to seek by prayer and supplication," etc. Cf. also *ibid.* 11, 17, 18, 19.

1. 15. **natural dignity**, not only do you gain by treating the Americans as free men, because they contribute more liberally if allowed to contribute freely, but it is unworthy of you to treat men of your own race as slaves.

1. 17. **of which you have the monopoly**, which they can buy from you only. This is the true act, etc. Burke means to say that the Americans only allow themselves to be bound by the Act of Navigation, because they love the power which imposes the act.

1. 19. **the wealth of the world**, etc., because the act gave to England the profits of the carrying trade, and also because England made large profits by the resale of those commodities which the colonies might export to England alone.

1. 22. **weak an imagination**, foolish an idea.

1. 23. **your registers**, etc., i.e. the regulations of your customs-houses. See note on p. 19, l. 16. **affidavits**, declarations on oath.

1. 24. **sufferances**, permits: **cocks**, the sealed document delivered as evidence that the proper dues had been paid on goods. The word means, literally, the custom-house seal: **clearances**, the technical word for passing goods through the custom-house.

1. 26. **letters of office**, official letters written by English Ministers: **instructions**, sent by the English government to the colonial governors.

1. 28. **the mysterious whole**, perhaps a reminiscence of Pope's *Essay on Man*—

" All are but parts of one stupendous whole,
Whose body nature is and God the soul."

These things do not make, etc. With this passage cf. p. 29, l. 36 *seqq.*, 'He conceived, and many conceived,' etc.

32. infused through the mighty mass, see on p. 12, l. 21.

P. 131, l. 3. the mutiny bill, which enables the offences of soldiers to be tried by military law. The Mutiny Bill is passed afresh every year, and the money required for the support of the army is also voted every year. The object of this is to make the very existence of an army depend on the consent of Parliament. If the Sovereign maintained or controlled the army, he might employ it against the Parliament or the people.

l. 6. the deep stake, etc., how much they would lose if the government were altered or overthrown. The metaphor is a very common one. For the literal meaning of *stake* see on p. 121, l. 28.

l. 8. liberal, worthy of freemen, opposed to servile. Burke means obedience rendered from love, not from fear. Cf. *Reflections on the Revolution in France*.

l. 10. chimerical, fanciful, literally, as unreal as the *chimæra*, a fabulous monster of the old Greek mythology.

l. 11. the profane herd, borrowed from Horace, *Od.* iii. l. 1: mechanical, because they think that everything can be effected by the machinery of political regulations, and allow nothing for the spontaneous action of human will and feeling.

l. 12. no place, no right to a place.

l. 13. gross and material, as opposed to what is *spiritual*, viz., man's ideas and feelings. With the whole of this passage, cf. "Nations are not primarily ruled by laws; less by violence. Whatever original energy may be supposed either in force or regulation, the operation of both is, in truth, merely instrumental. Nations are governed by the same methods and on the same principles by which an individual without authority is often able to govern those who are his equals or superiors; by a knowledge of their temper and a judicious management of it" (*Present Discontents*).

l. 19. all in all, "that God may be *all in all*" (1 *Cor.* xv. 28).

l. 23. to auspicate, to begin. The word implies that if we do not so begin, we cannot hope to succeed. For the meaning of the word, see on p. 74, l. 35.

l. 25. Lift up your hearts, In the English Church service this is addressed by the priest to the people, and the people reply, "We lift them up unto the Lord." Just as in an act of worship we should lift our thoughts from earth to heaven, so in the busi-

ness of government we should endeavour to rise above all mean and petty considerations to high ideas and worthy aims.

l. 26. **that trust**, that power which is to be used for the benefit of those over whom it is exercised, just as the money of a minor is to be administered by the guardian for the benefit of his ward.

l. 28. **this high calling**, "I press toward the mark for the prize of the high calling of God in Christ Jesus" (*Ep. Philipp.* iii. 13).

P. 132, l. 1. **and may it**, etc., words of good omen.

l. 2. **lay the first stone**, for the metaphor, cf. p. 109, l. 8.

l. 9. **the previous question**, viz., whether Burke's motion should be put to the vote at all. It was decided by a majority of a hundred and ninety-two that it should not.

LETTER TO THE SHERIFFS OF BRISTOL.

P. 135, l. 4. **They operate**, etc. They are punitive measures, directed against the Americans as rebels.

l. 6. **to nine**, viz., the revival of the statute of Henry VIII.: the closing of Boston harbour: the suspension of the Massachusetts Charter: the Act for bringing persons accused of committing murder under the orders of Government to England for trial: the quartering of soldiers in America: the Act restraining the Colonies from trade with Great Britain, Ireland, and the West Indies, and from the Newfoundland fisheries: the Prohibitory Act of Lord North (see on p. 137, l. 29): and the two Acts mentioned in the text.

l. 7. **It affords**, etc. It is melancholy to reflect that each fresh Act which we pass still further alienates the Americans.

l. 19. **the English on the continent**, the Americans. See note on p. 59, l. 14.

P. 136, l. 2. **which undermine our own**, Fox, as well as Burke, argued that this would be the effect of the suspension of the Habeas Corpus Act. See Stanhope's *History of England*, vol. vi., p. 141. Cf. "Mr. Burke certainly never could and never did wish the Colonies to be subdued by arms. He was fully persuaded that, if such should be the event, they must be held in that subdued state by a great body of standing forces, and perhaps of foreign forces. He was strongly of opinion that such forces, first victorious over Englishmen in a conflict for English constitutional rights and privileges, and afterwards habituated (though in America) to keep an English people in a state of abject subjection, would prove fatal in the end to the liberties of England itself." (Burke, *Appeal to the Old Whigs.*)

l. 3. **the letter of marque**, literally, a commission to plunder. It was a permission granted by government for a ship owned by a private individual to war upon the ships of a hostile power. A ship having such permission was called a *privateer*. The English Government granted letters of marque and reprisal against American vessels. To make war without such permission is *piracy*. A declaration of the Congress of Paris in 1856 abolished privateering: but this declaration is binding only on those powers who signed it, or afterwards assented to it, and upon them only when engaged in war with one another. Pirates, being general enemies of mankind, may be captured by the ships, and tried by the tribunals, of any country. "A bill for enabling the Admiralty to grant commissions, or letters of marque and reprisal, as they are usually called, to the owners or captains of private merchant ships, authorizing them to take and make prize of all vessels with their effects, belonging to any of the inhabitants of the thirteen specified revolted American Colonies, was passed without debate or opposition in the House of Commons, soon after the recess. It did not cost much more trouble to the Lords." (*Annual Register*, 1777, Feb. 6.)

l. 6. **the situation we are in**, namely, a state of war.

l. 7. **a partial suspension**, etc. This Act was suspended in the case of persons suspected of high treason committed in North America, or on the high seas, or of piracy. The object of the Habeas Corpus Act is to prevent the illegal confinement of individuals. It is one of the great guarantees for personal liberty. The suspension of it enables government to detain suspected persons under arrest for an indefinite time. "The thing is this," said Lord North in the course of the debate, "there have been during the present war in America many prisoners made who were in actual commission of the crime of high treason; and there are persons guilty of the crime who might be taken, but from want of evidence could not be kept in gaol."

l. 12. **exception**, objection. 'To take exception to' means 'to object to.'

l. 16. **hostile justice**, the justice observed by enemies towards one another. Cf. 'the law of nations with regard to war,' p. 141,

l. 18. 'The constitutional policy of Great Britain' is to protect the subject against arbitrary treatment by the executive government. Cf. p. 138, l. 33.

l. 18. **capital**, chief.

l. 19. **administration**, the Ministry. Cf. p. 1, l. 8.

l. 20. **to qualify**, to describe. For the meaning of the phrase 'is pleased to,' see on p. 44, l. 15.

l. 28. the colour, the pretext.

l. 35. the natural distinction, the distinction between the ships of a country in a state of rebellion, and the ship of a private robber is obvious, and would be admitted by all.

l. 36. the order of crimes, Rebellion is technically a greater offence than piracy, but those who were guilty of the offence of rebellion were to be tried on the charge of piracy. Burke objects to this, because rebellion is not ignominious or disgraceful. An unsuccessful rebel may command sympathy and respect. A pirate is an object of general detestation. The purpose of the law is defeated when an offender is exposed either to more or less odium than his offence deserves.

P. 137, l. 6. corruption of blood, This meant that the heir of a traitor or felon was incapable of succeeding, and that the landed property of the condemned reverted to the lord or superior, who was often the Crown. This disability of the natural heir has been removed.

l. 12. those offences, such as rebellion.

l. 13. the oracle, the highest authority on English law. See note on p. 80, l. 33. For Coke, see note on p. 93, l. 14. He is spoken of as *Lord Coke* in virtue of his office as Lord Chief Justice.

l. 17. masked, not open or straightforward. A mask is a covering to conceal the face.

l. 19. Lord Balmerino, the last Lord was beheaded for his share in the rebellion of 1745. The title is taken from a village in Fife.

l. 20. clans, the word clan signified in Scotland a tribe or group of kinsmen. The clan system has lost all real importance since the chiefs of the clans were deprived of their powers after the Jacobite rebellions.

l. 21. a juggle, a trick.

l. 22. manliness, straightforwardness.

l. 23. felony, literally *treason*, from the Latin *felo*, a traitor. The word is now used vaguely to signify a criminal offence.

l. 29. new-created offence, It was on November 20th that the Minister introduced the Prohibitory Bill, totally interdicting all trade and intercourse with the thirteen United Colonies. It provided that all property of Americans, whether of ships or goods, on the high seas or in harbour, should be forfeited to the captors, being the officers and crews of His Majesty's ships of war. The clause for vesting the property of the seizures in the captors was strongly combated. (*Annual Register*, 1776.)

P. 138, l. 7. **Henry the Eighth**, see note on p. 14, l. 20.

l. 11. **construction**, interpretation: viz., that it was applicable to treasons committed in America.

l. 19. **hold**, the hold is the space in a vessel in which cargo, etc., is stowed. It is the same word as *hole*, the final *d* being due to a confusion with the verb *to hold*.

l. 33. **juridical**, having to do with the administration of justice.

l. 34. **clogs**, hindrances.

P. 139, l. 4. **present heat**, the passion of the moment.

l. 5. **pleaded**, urged as an argument. The verb 'to plead' is the old French *plaider*, which meant to argue a cause before a judge.

l. 9: **fanatical**, mad. It means properly religiously insane. It is connected with the Latin word *fanum*, a temple. A form of madness, called by the Greeks enthusiasm, was manifested by those supposed to be inspired by the Deity.

l. 10. **executions**, viz., of Americans convicted by the English courts of treason.

l. 11. **retaliated**, viz., by the Americans upon Englishmen whom they captured.

l. 14. **Tyburn**, the place in London where condemned criminals were executed.

l. 15. **that authority**, viz., the Crown.

l. 16. **in the country itself**, in America.

l. 18. **that**, connects the sentence with if, on which it depends. "If these are not—if we must suppose," etc.

l. 27. **festers**, the word is generally applied to the gathering, or collection of matter, in a sore.

l. 28. **its handmaid**, the Act providing for the detention and trial in England of those guilty of treason in America. It furthers the object of Henry VIII's statute, and so may be said to be its servant. To use an exactly equivalent expression, it is *ancillary* to it.

l. 32. **judicial slaughter**, a man executed after a trial which, for the reasons given on p. 138, l. 20 *seqq.*, could not be a fair one, is as good as murdered. By 'in another hemisphere' he means, of course, in England.

P. 140, l. 8. **to be**, if they are to be.

l. 12. **the plantations**, see on p. 2, l. 6.

l. 16. **a parity**, an equality or similarity. The only lesson which England can teach by the execution of Americans for resistance to tyranny is that such resistance is criminal and

punishable with death. We do not want England to murder her own children to teach a lesson of that kind.

l. 25. *foreign*, referring to the employment of German soldiers. *the English in America*, see on p. 135, l. 19.

l. 29. *upon some prospect*, because they entertain hopes of ultimately succeeding. The words explain why the government should prepare to act against those as traitors, etc. For *administration*, see on p. 1, l. 8.

l. 33. *indecent*, unbecoming : unseemly.

l. 34. *civil fury*, the rage of civil war.

l. 35. *exchanged*, surrendered to the Americans in exchange for Englishmen whom they had taken prisoners. *virtually*, their surrender implies their pardon, though it may not have been stated in so many words that they were pardoned.

l. 36. A *cartel*, from the Latin *carta*, a paper, was a written agreement between belligerents for an exchange of prisoners.

P. 141, l. 2. *parity*, equality. If after receiving an Englishman in return for an American, the English demanded the life of the American, it would be unfair to the Americans. For they would have surrendered a prisoner and have got nothing in exchange. It would be like buying something from a shopkeeper, and then asking him to refund the price paid.

l. 7. *unhandsome*, unseemly. The word *handsome*, which means *comely*, means properly dexterous.

l. 8. *by the time of their guilt*, those who were taken prisoners early in the war would go free in exchange for English prisoners. Those who were taken prisoners later, and remained in the hands of the English, would be punished.

l. 17. *intermediate treaty*, agreements made during the war, like that made for the exchange of prisoners between England and America. Governments refuse to treat with rebels in arms.

l. 18. *the law of nations*, international law, i.e. the rules recognized by civilized nations as binding upon them in their dealings with one another.

l. 21. *parole of honour*, word of honour : a promise made upon honour. *Parole*, in French, means a *word* : and it is generally used to signify the promise made by a prisoner of war, when released, that he will not, during the war, take up arms against his captors, etc.

l. 22. *the late rebellions*, those of the Jacobites.

l. 24. *engage for*, give security for. *you are at the king's pleasure*, you will be treated as he may choose to treat you.

l. 30. *lawyers*, etc. For the difference between the points of view of the lawyer and the statesman, see pp. 30-1, and p. 93.

The lawyer must argue that everyone in arms against the government deserves to be punished as a traitor. The legislator should recognize the distinction between treason and civil war.

P. 142, l. 1. constructions, interpretations.

l. 2. artificial, opposed to *natural*. The word 'natural' applies to what is recognized by 'the general sense of mankind,' and so is prior to rules framed at a particular time and place, such, for instance, as the law with regard to treason.

l. 3. convulsions, disturbances. The word is specially applied to the spasmodic movements of a person in a fit.

l. 4. disseminated, scattered.

l. 5. entire legal representatives, the Colonial Assemblies which were hostile to England.

l. 7. Oyer and Terminer, Norman French words for 'to hear and determine.' The Assize judges in England sit under a commission 'to hear and determine' charges presented by the Grand Jury. The criminal law of a country cannot be put in force against another country with which it is at war. Cf. p. 93.

l. 10. one sort of hostility, what he describes on p. 137, l. 31, as 'the necessary reprisal of an unhappy, proscribed, interdicted people.'

l. 12. the Act of Henry the Eighth, etc. See on p. 138, l. 7.

l. 15. neutral, unobjectionable.

l. 17. exceptionable, objectionable. Cf. p. 136, l. 12.

l. 18. to open myself, to express my opinions.

l. 23. the common law, according to Blackstone, consists (i.) of general customs which are the common law strictly so-called: (ii.) particular customs prevailing in certain districts, and (iii.) laws used in particular courts. The first is the law by which "proceedings and determinations in the King's ordinary courts of justice are guided and directed." That the elder son alone is heir to his ancestor, that a deed is of no validity unless sealed and delivered, are examples of common law doctrines "not set down in any written statute or ordinance, but depending on immemorial usage for their support." The validity of the usages is to be determined by the judges. The English common law system may be described as a pre-eminently national system. Based on Saxon customs, moulded by Norman lawyers, and jealous of foreign systems, it is, as Bacon says, as mixed as our language and as truly national. (*Encyclopædia Britannica*, s.v. Common Law.)

l. 24. A statute is a definite enactment of the legislature.

l. 25. with regard to, etc. See on p. 136, l. 7.

P. 143, l. 6. **high, arbitrary : tyrannical.**

l. 15. **Call of the nation**, to threaten the liberties of all is to sound a general alarm.

l. 20. **They are marked**, etc. The metaphor is taken from a drawing. Burke means to say that they attract so much attention that they cannot be continued indefinitely without notice being taken of the fact.

l. 25. **nibbled away**, taken away by little bits at a time.

l. 26. **contrary to the genius**, etc., because this particular Act requires the magistrate to justify his detention of a prisoner.

l. 29. **in particular descriptions**, falling under certain classes, e.g. those who, within a given time, had been out of England, or on the high seas.

l. 34. **nothing is security**, I can never be safe from the attacks of others so long as it is possible for them to hurt me without suffering themselves.

P. 144, l. 6. **even negro slaves**, etc. That this was the law of England was expressly affirmed in a judgment of Lord Mansfield in 1772. The slave, however, could be reclaimed if he returned to his master's country.

l. 10. **may be advanced**, etc., that is, new classes or descriptions of men may be deprived of the advantage of the statute.

l. 13. **does not rest**, etc., has not the same indisputable right to the protection of the laws.

l. 16. **this dissolves it**, because what preserves a community is the common interest which all have in maintaining it.

l. 17. **three unoffending provinces**, In New York, Pennsylvania, and New Jersey, the great majority of the inhabitants were well disposed to the British.

l. 21. **proscription**, deprivation of rights. In the civil wars, which occurred towards the end of the Roman Republic, the leader of the victorious faction used to *proscribe* (lit. write up in public) the names of those of his enemies whose lives or goods were forfeited.

l. 23. **the bare suspicion**, etc. The mere fact of his being suspected of treasonable practices by the Crown—that is, by the Government—deprives him of the benefit of the Habeas Corpus Act. For he may be arrested and detained during the King's pleasure.

P. 145, l. 4. **during the prevalence**, So long as the feeling with regard to America was as I have described it, the majority would only be irritated by opposition into passing more stringent measures.

l. 7. **within-doors**, that is, amongst the members of the House.

l. 22. **malignity**, the evil effects. The word is properly applied to describe the virulence of a poison. With this passage cf. ch. 3 of the *Annual Register* for 1777. The arguments for a temporary secession of the Opposition from Parliament during the discussion of American questions are there stated as in the text. The arguments against it were that a Member of Parliament cannot, consistently with his duty, withdraw himself from the business of Parliament merely from an opinion that he will be outvoted and that therefore his opposition would be useless: and that a secession, to be either legitimate or useful, must be general, including the whole minority against the measure provoking the secession, and must be accompanied by a public declaration of the reasons for the secession. In a letter to Lord Rockingham, dated August 23rd, 1775, Burke, after remarking that the whole strength of an opposition lies in the support which it can command outside Parliament, says—"My experience is worth nothing, if it has not made it as clear to me as the sun, that, in affairs like these, a feeble opposition is the greatest service which can be done to Ministry: and surely, if there is a state of decided disgrace, it is to add to the power of your enemies by every step you take to distress them."

l. 34. **steals**, grows unnoticed.

l. 35. **the fashionable world**, people of high rank and birth who would naturally be supporters of the Court.

P. 146, l. 4. **aphorism**, literally, the word signifies a *definition*. It is from a Greek word signifying 'to mark the limits' of anything. Generally it means a short saying which expresses an important truth.

4. **Mr. Hume**, David Hume, the philosopher and historian, was born in 1711 and died in 1776.

14. **are not very concordant**, are absolutely discordant.

17. **capital**, important.

26. **have rooted in**, have established themselves in. Burke insists continually that despotism in America would mean ultimately despotism in England. See on p. 136, l. 2.

l. 29. **manners**, national character: the general tone of thought and feeling. In his *Reflections on the Revolution in France* Burke complains that the revolutionary leaders corrupted the national *manners* by familiarizing people with cruelty.

P. 147, l. 2. **taste and relish of**, sense of.

l. 6. **which were the bond of charity**, which united us by kindly feelings to one another. The phrase is probably a reminiscence of the English Prayer-Book—"That all who call themselves Christians may hold the faith in the *bond of peace*"; and "pour

into our hearts that most excellent gift of *charity, the very bond of peace.*"

1. 7. **when the communion, etc.** When our country is divided into two hostile parties.

1. 9. **no charter of exemption,** We are not specially privileged to enjoy immunity from the common weaknesses of human nature.

1. 25. **deficient to her allies,** He refers to the inability of England to offer protection to her ally Portugal, then threatened by Spain.

1. 28. **German boors and vassals,** cf. p. 140, l. 25. "The King was reduced to the humiliating necessity of asking for foreign assistance to subdue his own subjects. It was sought from many quarters. He himself, as Elector of Hanover, agreed to lend 2,355 men of his Electoral army to garrison Minorca and Gibraltar, and thus to release some British soldiers for the American war. The Dutch had for a long time maintained a Scotch brigade in their service, and the Government wished to take it into English pay, but the States-General refused to consent. Russia had just concluded her war with the Turks, and it was hoped that she might sell some 20,000 of her spare troops to the English service, but Catherine sternly refused. The little sovereigns of Germany were less chary and were quite ready to sell their subjects to England to fight in a quarrel with which they had no possible concern. The Duke of Brunswick, the Landgrave of Hesse Cassel, the Hereditary Prince of Hesse Cassel, and the Prince of Waldeck were the chief persons engaged in this white slave trade, and they agreed for a liberal payment to supply 17,742 men to serve under English officers in America. ... The conduct of England in hiring German mercenaries to subdue the essentially English population beyond the Atlantic made reconciliation hopeless, and the Declaration of Independence inevitable." (Lecky, ch. xi.) The constitutional right of the sovereign to levy an army of foreign mercenaries was questioned in Parliament. With regard to the attitude of the nations of Europe towards England, the writer of ch. 9 in the *Annual Register for 1776*, probably Burke himself, says that, in spite of the remonstrances of England, France and Spain had opened their ports to the Americans, had shown them every mark of friendship, and had treated them as an independent people. They had received and protected American privateers. Prizes captured from the English had been openly sold in French ports. France had supplied America with artillery and military stores of all kinds, and French engineers and officers had enlisted in large numbers in the American forces. The prospects of enjoying the profits of American trade, from which they had been excluded by the Act of Navigation, tended to unite all the commercial nations against

England. France was also anxious to avenge herself on England for her defeat in the Seven Years' War. *hireling*, means *mercenary*, and *boors* means *peasants*, literally, *tillers of the soil*.

1. 34. *complimentary addresses*, namely, to the Sovereign. Loyal addresses had poured in from the country since the issue of the King's proclamation for the suppression of the rebellion in America in August, 1775.

P. 148, l. 3. *too stiff*, etc. Cf. "These gentlemen deal in regeneration; but at any price I should hardly yield my rigid fibres to be regenerated by them." (*Reflections on the Revolution in France*.)

5. *the court gazettes*. The gazette is the official organ corresponding to the Government gazette in this country. The word gazette may be derived from *gazetta*, the diminutive of the Italian word *gazza*, a magpie, in which case it would mean tittle-tattle; or it may be derived from the Italian *gazzetta*, a small coin, perhaps paid for the privilege of reading the first newspaper issued at Venice towards the middle of the 16th century.

10. *whose barbarous appellations*, alluding to the fact that foreign mercenaries helped to gain the victories. The word barbarous is a Greek word which means, literally, foreign.

12. *the White Plains*. On September 15th, 1776, Washington had been obliged to evacuate the city of New York, and had taken up a position on Haarlem Heights on the neck of land forming the north end of New York Island. On the approach of the English General Howe he was obliged to leave this position and to retire northwards to *White Plains* where, on October 28th, an engagement was fought in which the Americans were obliged to fall back. Colonel Rallice was in command of a brigade of Hessians.

1. 14. *Fort Knipphausen*. In a summary of the chief topics of this letter given in his *Life and Times of Burke*, 2. 165, Macknight mentions "a disclaimer of any exultation in the glory of the German Colonel Rahl at the White Plains, and of the German General Knipphausen at Fort Washington." General Knipphausen is often mentioned in the histories of the time as one of the officers of the German troops employed by England against the Americans. Fort Washington, which, together with Fort Lee, was intended to defend the river Hudson, was taken on November 16, 1776, the attack on the north side being led by General Knipphausen. The captured fort may perhaps have been called after him for a time. At any rate, what Burke means is that, as an Englishman, he feels ashamed of victories gained over Englishmen by the aid of foreign mercenaries—the name

Fort Kniphausen being used sarcastically to show that the victories were gained by Germans.

l. 17. **our honest prejudices**, In a striking passage in his *Reflections on the Revolution in France*, Burke dwells upon the moral value of sentiment and prejudice. He condemned the philosophy then current in France because it threw contempt upon the sentiments which had humanized and refined the natural instincts of men : and he insisted on the wisdom of the English in clinging to inherited prejudices, partly from distrust of their own wisdom, partly because prejudices influence action for good more surely and more systematically than naked reason can.

l. 19. **in cold blood**, dispassionately.

l. 25. **abused, misused**, because spent in hiring forces to war against the Americans.

l. 26. **to feed its distemper**, literally, to aggravate its disease.

l. 27. **their German allies**, see on p. 147, l. 28.

P. 149, l. 9. **divine**, guess.

l. 18. **they have a call for**, they need.

l. 19. **their stock**, their supply of reason. See on p. 128, l. 12. Cf. "We are afraid to put men to live and trade each on his own *stock of reason* ; because we suspect that this stock in each man is small, and that the individuals would do better to avail themselves of the general bank and capital of nations and of ages." (*Reflections on the Revolution in France*.)

l. 23. **to halloo and hearten them**, to cheer them on and encourage them. The metaphor is taken from encouraging dogs by shouts to the chase.

l. 26. **engaging in so deep a play**, running so serious a risk Burke is fond of metaphors borrowed from gambling.

P. 150, l. 13. **more charitable**, because their present course of encouraging war against the Americans is likely to issue in disaster to themselves.

l. 14. **injurious, unjust**. Burke implies that they do not understand what they are doing.

l. 16. **to discover**, to show.

l. 17. **The addressers**, those who present addresses to the Sovereign praising and supporting the policy of his government. Cf. p. 147, l. 34.

l. 19. **they mortgage**, they pledge. A mortgage is literally 'a dead pledge,' so called because it becomes dead or lost to the possessor if he fails to fulfil his bargain.

l. 20. **charge of contribution**, burden of payment.

l. 29. at a dearer rate, at a greater sacrifice of life. Lord Sandwich, the head of the Admiralty, had openly called the Americans *effregious cowards* in Parliament.

l. 30. it is not to respect, etc. Before calling our enemies cowards we should wait to see whether God gives us the victory over them or not. We shall be put to open shame if we are beaten by those whom we have branded as cowards.

l. 34. our natural regards, the love of kindred which nature has implanted in the hearts of men.

l. 35. in the British nation. Notice how frequently Burke reminds his readers that the English and the Americans were one people.

P. 151, l. 2. this great fabric, the British nation, which is kept together by the mutual good will of its members, as the stones of a building are kept together by mortar.

l. 11. to reconcile, used intransitively.

l. 12. hold, security.

l. 29. the defeat of their policy, which is to force the Americans to contribute to the English revenue. Burke means that even if the English succeed in conquering the Americans, they will get no revenue from America, because whatever money can be raised will be spent in keeping the Americans in subjection. Cf. note on p. 136, l. 2.

l. 31. increase of the means of corruption, because such an addition to the Empire would mean an increase of the power and patronage of the Crown.

l. 33. in such a war, namely, a civil war.

l. 35. what was our own, Burke means that it was entirely the fault of the English people, who attempted a change in their mode of government, that the Americans were not still loyal and contented subjects.

P. 152, l. 2. to govern all mankind, to extend British rule indefinitely.

l. 11. the most abject concession, it was argued that concessions on the part of England would only embolden the Americans to raise their demands. Burke argues that if England conquers the Americans they will not be peaceful and contented subjects as they were under the old system. Cf. p. 139, l. 20 *seqq.*

l. 14. into the bargain, a common phrase for *in addition*.

l. 21. reconciling, cf. p. 151, l. 11.

l. 28. Nothing indeed, etc., because the sense of our harsh treatment of them must always rankle in the minds of the Americans. But it is better to retain the Americans, though

embittered by memories of the past, than to lose them altogether or to attempt to hold them in subjection by force.

l. 31. *relative to the cause of the war*, removing the grievances and the apprehensions which caused the Americans to take up arms.

P. 153, l. 2. *a sort of treason*, it is said that to yield to rebels is to be false to one's country.

ll. 4, 5. *charging ... on*, imputing to.

l. 7. *if peace, etc.*, if they have any wish for peace.

l. 11. *the American English*, see on p. 135, l. 19.

l. 23. *it has been the means, etc.* The Americans contended that they were claiming only their just rights and privileges. They were naturally provoked to arms when what they considered a righteous demand was denounced as rebellion.

l. 31. *the court gazette*, see on p. 148, l. 5. The gazette alluded to contained the proclamation for the suppression of sedition and rebellion in America which was issued in August, 1775. It was directed quite as much against the English statesmen, including the Rockingham party to which Burke belonged, who had opposed the policy of the Government, as against the Americans. It contained the following passage: "There is reason to apprehend that such rebellion hath been much promoted and encouraged by the traitorous correspondence, counsels, and comfort of divers wicked and desperate persons within our realm."

P. 154, l. 4. *the celebrated pamphlet*, "The popular mind was more and more agitated with a silent, meditative feeling of independence, like a jar highly charged with electricity, but insulated. Their old affection for England remained paramount till the King's proclamation declared them rebels; then the new conviction demanded utterance, and as the debates in Congress were secret, it had no outlet but the press. The writer who embodied in words the vague longing of the country, mixed up with some crude notions of his own, was Thomas Paine, a literary adventurer, at that time a little under fifty years of age, the son of a Quaker of Norfolk in England He had been in America not much more than a year, but in that time he had cultivated the society of Franklin and other leading Americans. His essay, when finished, was shown to Franklin, to Rittenhouse, to Samuel Adams, and to Rush: and Rush gave it the title of *Common Sense*. It was brought out on January 8th, 1776." (Bancroft, *History of the United States*, vol. vii. ch. 56.)

l. 6. *these addresses*. See on p. 147, l. 34. Paine's pamphlet contains the following sentence, "The last chord is now broken; the people of England are presenting addresses against us."

l. 9. under an act of parliament, namely, the Prohibitory Bill of Lord North—see on p. 137, l. 29—which contained a clause “enabling the Crown to appoint commissioners, who, besides the power of simply granting pardons to individuals, were authorized to inquire into general and particular grievances, and empowered to determine whether any part or the whole of a colony was returned to that state of obedience, which might entitle them to be received within the King’s peace and protection, in which case, upon a declaration from the commissioners, the restrictions in the present bill were to cease in their favour.” (*Annual Register*, 1776, ch. 6.)

l. 15. administration, the government. In August, 1776, General Howe was joined by his brother, Lord Howe, at Staten Island. They landed on Long Island and defeated the Americans, and on September 15th General Howe captured New York. Lecky, on the authority of letters written by Tryon, the Governor of New York, and by Washington, says, “When Howe landed at Staten Island he was warmly welcomed by the inhabitants, who at once furnished him with all that he required, and came forward in numbers to take the oath of allegiance. When Washington was driven from Long Island, almost the whole population came forward gladly to testify their loyalty to the Crown. Widespread dissatisfaction to the American cause was manifest in the State of New York.” (Ch. xiii.) Staten Island is five miles S.W. of New York. The name was given in the 17th century in honour of the *Staaten* or States-General of Holland. It is separated from Long Island by the Narrows, a channel of the river Hudson.

l. 27. The trade, etc., the effect of granting a pardon to a Colony would have been to render trade between it and England legal. An immediate and public grant of such a pardon would have been a boon to the whole body of English merchants who depended on their trade with America: while the object of the Ministry was to confine the benefit to a favoured few who had been ‘incendiaries of war,’ that is, had supported the warlike policy of the Government. There were grave complaints in England of the illegal and partial conduct of Government in this matter of trading with America. “A clause in the late Prohibitory Act, which enabled the Admiralty to grant licences to vessels for conveying stores and provisions to the forces upon the American service, had been made use of to countenance a trade in individuals who were favoured, by which it was said that a monopoly was formed, and the American trade was transferred from the ancient merchants and known traders to a few obscure persons of no account or condition: and an illicit commerce established under the sanction of that bill, which was utterly subversive of one of its principal objects ... It

appeared in evidence before the House of Commons that a greater quantity of all manner of goods calculated for the North American market had been shipped within a few weeks than was done in any of the usual seasons of exportation. A great clamour was raised in the city. It was said that it was exceedingly grievous to the great body of American merchants, who had already suffered so much in consequence of these troubles, and who, in obedience to the late Act of Parliament, were at this very time sinking under the incumbrance of a vast quantity of goods, which they had purchased for that, and for which they could find no other market, to see the trade, which for a number of years they had conducted with the greatest reputation and fairness, smuggled out of their hands by a set of nominal merchants and unknown adventurers. (*Annual Register*, 1776.)

l. 31. **From a national**, The Navigation Act made the American trade a monopoly of England. See on p. 23, l. 8.

l. 34. **between craft and credulity**, The 'incendiaries of war' had cleverly pretended to be jealous for the success of the Ministerial policy in order that they might gain something from the Ministry: the merchants ordinarily trading with America had been deceived because they had trusted to the openness and fairness of the Government. The result was that 'the voice of reason was stifled,' i.e. the rational policy of granting an immediate and public exemption from the restrictions of the Prohibitory Act to the Colonies that were loyal was not pursued.

P. 156, l. 5. **those neighbours of theirs**, those Englishmen who, like Burke, regarded the war with America as unjust and impolitic.

l. 13. **is very like one**, Burke means that it really was a war, though in the opinion of some it was not sufficiently 'hot and extensive' to deserve the name of war.

l. 18. **in their own person**, the same taunt of cowardice is levelled against them on p. 150, l. 17.

l. 19. **transports**, vessels for the conveyance of troops.

l. 20. **supplies**, votes of money by the House of Commons for carrying on the war.

l. 21. **The table**, etc. The metaphor is suggested by a hungry man sitting down to dinner. Printed statements of the votes are laid on the table. See on p. 34, l. 32.

l. 24. **as easy in the control**, Those who supported the American policy of the Government not only supplied them with large sums of money, but left them free to expend it as they pleased. The House of Commons ought to see that money voted for a certain purpose is properly expended. Frequent complaints

were made by the Opposition of the neglect of the Government to present proper accounts to the House.

l. 27. from what is left to them, namely, after paying the taxes required for the war expenditure. In 1776 the land tax was fixed at four shillings in the pound.

P. 157, l. 2. value, regard.

ll. 3, 4. all ... to a man, all of us without exception.

l. 4. the **savage Indians**, "Few things were more terrible to the Americans than the scourge of Indian war. As it had generally been the function of the Government to protect the savages against the rapacity and violence of the colonists, England could count largely upon their gratitude, and the horrors which never failed to multiply in their track gave a darker hue of animosity to the struggle. The engagement of Indians was defended on the ground that it was a policy which the Americans themselves had adopted." (Lecky, ch. xi.)

l. 10. they have their bargain, they have got what they paid for. Notice the strong condemnation of England's policy of employing unfeeling foreign mercenaries and bloodthirsty savages against Englishmen.

l. 11. They are continually, etc. The following passage occurs in the King's speech at the opening of the autumn session of 1776:—"One great advantage would, however, be derived from the object of the rebels being openly avowed, and clearly understood; it would produce unanimity at home, founded on a general conviction of the justice and necessity of our measures." In the debate which followed, frequent appeals were made for a unanimous support of the Government policy, and for a cessation of what was called factious opposition. But "the expectation of unanimity from the present situation of affairs was treated as a matter of unbecoming levity, as well as of disrespect to those to whom it was directed. Was ever anything more truly ridiculous, said the Opposition, than the calling for unanimity in measures, because these measures had been uniformly productive of all the mischief which had been foreseen and predicted? As we have uniformly opposed, said they, the whole train of these destructive measures, in explaining the motives of our conduct, we have as constantly stated their natural consequences, which amounted to an exact prediction of all those evils that have ensued. No prophecies were ever more accurately fulfilled. And now, when the empire is severed, America for ever lost, when distraction prevails at home, and ruin surrounds us without, the Minister, with a degree of facetiousness and humour, which might obtain credit in another place, and upon other occasions, takes it for granted that we shall now be unanimous in the support of that ruinous system, and the

prosecution of those destructive measures, which have already brought on all our calamities." (*Annual Register*, 1776, ch. 2.)

l. 15. **distemper**, disease.

l. 21. **if the affections**, etc. Cf. p. 154, ll. 11 *seqq.*

l. 22. **exploded**. See on p. 15, l. 7.

l. 33. **denomination**, class or description. The word is more commonly used to describe a religious sect.

l. 35. **the waste**, the ravages. It is from the Latin word *vastus*, which means desolate.

P. 158, l. 5. **cause of fear**, namely, on the part of the subordinate community, or 'inferior body.'

l. 10. **consideration**, influence.

l. 16. **obtain influence**, namely, amongst the members of the subordinate community.

l. 24. **is melted into its government**, identifies itself with the Government: if there is no party in England to protect the Americans against a tyrannous government. **that**, the conjunction connects the sentence with 'if' on which it depends. 'If the Colonies, etc., and if every dispute.'

l. 29. **Other sorts**, etc., just as the Americans had gone to France for protection.

l. 32. **the unanimity**, viz., in hostility to America.

l. 34. **mere despair**, they have abandoned all hopes of changing the policy which is being pursued towards America. As they have ceased to oppose it they appear to acquiesce in it.

P. 159, l. 3. **General rebellions**, etc. Cf. "When popular discontents have been very prevalent, it may well be affirmed and supported that there has been generally something found amiss in the constitution or in the conduct of government. The people have no interest in disorder. When they do wrong it is their error, not their crime. But with the governing part of the state it is far otherwise. They certainly may act ill by design as well as by mistake. 'The revolutions which take place in great states are never the result of chance or of the caprice of the people. Nothing disgusts the higher orders in a state so much as a feeble and disordered government. As for the people, they never rise in rebellion from a desire to attack, but because their sufferings are unendurable.' These are the words of a great man (Sully, the minister of Henry IV. of France): of a minister of state: and a zealous assertor of monarchy. What he says of revolutions is equally true of all great disturbances. If this presumption in favour of the subjects against the trustees of power be not the more probable, I am sure it is the more comfortable speculation: because it is more easy to change an

administration than to reform a people." (Burke, *Thoughts on the Present Discontents*.)

l. 22. to degrade, etc., to turn Parliament into a mere flatterer of the Court. He alludes to the fact that the policy of the Government was the policy of the Court. George III. would naturally hear nothing but what was pleasant from those whom he received at Court. A drawing room is properly a withdrawing room.

l. 28. undone, ruined.

l. 33. But, The word introduces an imaginary objection, with which Burke proceeds to deal.

l. 36. which dignity rejected, which Parliament would not condescend to listen to. a suspension of commerce, referring to the non-importation agreements described in the Introduction.

P. 160, l. 11. this favourite unanimity, see p. 157, l. 11, and p. 158, l. 32.

l. 22. an act of oblivion, etc. It is decreed that all their misconduct shall be condoned and forgotten.

l. 34. The good people, Good is here a mildly ironical epithet. It does not mean those who were good as opposed to those who were bad, but includes the whole people.

P. 161, l. 2. jargon, confused talk, or sound without meaning. It is perhaps connected with the Latin word *garrere*, to prate. The arguments by which the Court defended the war with Holland were as absurd as those by which George III. and his government supported the war with America.

l. 4. their massacre at Amboyna, one of the Moluccas. The massacre referred to, in which the British settlement was destroyed by the Dutch, took place in 1623. Burke's reference is to Dryden's play, *Amboyna*. "It was a temporary performance, written in the time of the second Dutch war in 1673, to inflame the nation against their enemies: to whom he hopes, as he declares in his Epilogue, to make his poetry not less destructive than that by which Tyrtæus of old animated the Spartans." (Johnson, *Life of Dryden*.)

l. 10. that the cause, etc., that they were not to consider whether the points at issue justified a war, but that, the discussion having as a matter of fact led to war, they must go through with the war.

l. 12. called upon, by the Court and its supporters.

l. 16. assizes, The word assize means a session of a court of justice. England is divided into districts, in certain towns of which the judges periodically hold assizes or sessions. Burke refers to the summer of 1776.

l. 18. the commission, see on p. 155, l. 9.

l. 20. he was then earnest, etc. The Act constituting the Commission was brought in by the Government. The advocates of the Government were eager to show what concessions the Sovereign was prepared to make to conciliate America.

l. 29. to evacuate Boston, Washington's army forced General Howe to evacuate Boston on the 17th March, 1776. A Committee of the Congress which conferred with Lord Howe later in the year reported—"Upon the whole it did not appear to your committee that his lordship's commission contained any other authority of importance than what is contained in the Act of Parliament, viz., that of granting pardons, with such exceptions as the Commissioners shall think proper to make, and of declaring America, or any part of it, to be in the King's peace upon submission. For, as to the power of enquiring into the state of America, which his lordship mentioned to us, and of conferring and consulting with any person the Commissioners might think proper, and representing the results of such conversation to the Ministry, who (provided the colonies would subject themselves) might, after all, or might not, at their pleasure, make any alterations in the former instructions to governors, or propose in Parliament any amendment of the acts complained of, we apprehended any expectation from the effect of such a power would have been too uncertain and precarious to be relied on by America, had she still continued in her state of dependence." (*Annual Register* for 1776, ch. 5.)

P. 162, l. 7. in the same gazette, see on p. 148, l. 5. The following passage from a paper drawn up by Burke, and apparently intended by him to have been moved as an Amendment to the Address after the campaign of 1776, will illustrate his remarks in the text:—"The Commissioners sent into America for the pretended purpose of making peace were furnished with no other legal power but that of giving or withholding pardons at their pleasure, and for relaxing the severities of a single penal Act of Parliament, leaving the whole foundation of this unhappy controversy as it stood in the beginning. To represent to His Majesty that in addition to this neglect, solely owing to the representation of his Ministers, in direct violation of public faith held out from the throne itself, when, in the beginning of last session, His Majesty in his gracious speech to both Houses of Parliament, declared his resolution of sending out Commissioners for the purpose therein expressed *as speedily as possible*, no such Commissioners were sent until near seven months afterwards, and until the nation was alarmed by the evacuation of the only town (Boston) then held by His Majesty in the thirteen United Colonies. By this intentional delay, Acts of the most critical nature, the effects of which must as much depend on the power

of immediately relaxing them on submission as in enforcing them on disobedience, had only an operation to inflame and exasperate. But if any colony, town, or place had been induced to submit by the operation of the terror of these Acts, there were none in the place of power to restore the people so submitting to the common rights of subjection. The inhabitants of the Colonies, therefore, apprised that they were put out of the protection of Government, and seeing no means provided for their entering into it, were furnished with reasons but too colourable for breaking off their dependency on the crown of this kingdom."

l. 11. to divide their trading property, see on p. 136, l. 3.

l. 15. within three thousand miles, because the power rested solely with the English Government.

l. 16. to follow allegiance, etc., to restore those who professed allegiance to England to the protection of the law.

l. 19. putting ourselves, etc. We are blind to our own faults; but if any other country had treated its subjects as we have treated America, we should think it quite natural that those subjects should shake off the yoke of that country and should regard it with hatred.

l. 21. may be in an humour, may be in the mood: may be inclined.

l. 26. There was a moment, etc., viz., after the victories mentioned in the note on p. 154, l. 15. In the paper written by Burke, from which I have quoted in the note on l. 7 of this page, the following passage occurs:—"That we understand that amidst the many disasters and disgraces attendant on His Majesty's arms in many parts of America, a signal advantage has been gained by His Majesty's British and foreign mercenary forces in the province of New York. That if a wise, moderate, and provident use be made of this advantage, it is not improbable that happy effects may result from it, and we assure His Majesty that nothing shall be wanting on our part to enable His Majesty to take full advantage of any disposition to reconciliation which may be the consequence of the late victory, by laying down real permanent grounds of connection between Great Britain and the Colonies, on principles of well-ascertained dependence, and well-secured liberty. That we should most heartily congratulate His Majesty on any event leading to this great and desirable end, of such a peace as might promise to last: that is a peace founded upon terms of mutual advantage."

l. 27. if any powers, etc., i. e. if there had been in America any English officials authorized to make concessions to the Americans. See on p. 161, l. 29.

P. 163, l. 1. zeal for the dignity of our body, they had gone to war to maintain the right of Parliament to tax America.

1. 4. to the crown, that is, practically, to the ministers who are the responsible advisers of the sovereign. 'To leave them to the crown' is thus the same thing as to make them 'matter of ministerial negotiation.' The constitutional point at issue was the right of Parliament to tax. It is a point which Parliament must decide. It is not for the executive to determine what the rights of Parliament are. Poorly as I may be thought, etc., because he had deprecated the exercise of the Parliamentary right to tax America.

1. 13. for the supremacy of parliament, as he had shown by supporting the Declaratory Act. Burke's views with regard to the imperial rights of Parliament are stated on pp. 60-1.

1. 15. more knowing in, better informed about. For Burke's views as to the metaphysical or abstract treatment of political questions, see on p. 56, l. 28, and p. 58, l. 18.

1. 18. speculative, abstract. Burke appealed to precedent and expedience.

1. 24. conversant in, familiar with.

1. 26. civil discretion, political wisdom.

1. 33. a title, a legal right.

P. 164, l. 3. parcelled out, etc., determined and limited theoretically, that is, *a priori*. There is no first principle from which we can demonstrate deductively that the power of a legislature must stop here or there. The English Parliament defines its own powers, and is not limited by any written constitution.

1. 13. hope that their practice, I hope that they have not unduly pressed the rights of sovereignty, other than that of taxation, against the Americans.

1. 20. cases might well happen, etc., instances are given on p. 60, ll. 33 *seqq.*

1. 27. of which I was so jealous, which I was so anxious to preserve.

1. 28. plantations, see on p. 2, l. 6.

1. 29. members, parts. If it were asserted in all cases, instead of being confined to emergencies, the Americans would object to it.

1. 30. those delicate points, such, for instance, as taxation.

1. 33. I hope, because they had no business to commit England to a policy which they knew to be beset with difficulties.

1. 36. no other given part, no other part which you choose to mention.

P. 165, l. 2. That general opinion, etc. The acquiescence and support of the people is the source of the power of the legislature.

1. 13. the high-commission court, etc. The Court of High Commission was first constituted by Queen Elizabeth in 1583, in virtue of a clause in the Act of Supremacy, for the purpose of enforcing conformity on the clergy. Laud employed it in the 17th century to enforce conformity to the English prayer-book. The High Commission and the Star Chamber were abolished by Act of Parliament in 1641. The Court of Star Chamber was constituted in 1487 by Henry VII., to try without juries all who interfered with justice by force or intrigue. It consisted of two judges and certain members of the Privy Council. It sat in the Star Chamber at Westminster, whence its name. The Chamber was so called either because the ceiling of it was ornamented with stars, or because Jewish bonds or *starres* had previously been kept in it. In the time of Charles I., though only the judges sat in it, yet all the Privy Councillors were members of it. Charles found it a convenient instrument for putting down his opponents, and for raising money by levying fines.

1. 17. the competence, the right.

1. 26. King James, James II. The reference is to his attempts to restore the Roman Catholic religion.

1. 27. In effect, etc. The legislature must be guided by the wishes of the people, not force its own wishes on the people. Its business is to guide, to give definiteness to, to embody in legal form, and to enforce by penalties what the majority of the people desire.

1. 33. to the substantial existence, if it is to be a reality and not a mere name. Burke's remarks may be illustrated by the care with which the House of Lords is now obliged to exercise its right of rejecting bills sent up by the Commons.

1. 35. negative to bills, his right of refusing his assent to bills which have passed the Houses of Parliament. Without the assent of the sovereign a bill cannot become law.

1. 36. prerogatives, the power which the sovereign can exercise independently of Parliament.

P. 166, l. 1. I am far, etc. It would have been a good thing if the King had exercised his right of vetoing some of the bills to which he has given his assent.

1. 5. Its repose, etc. The king is allowed to retain the power on condition that he exercises it judiciously. It is desirable that the power should exist, to be used on critical occasions. Suppose that a majority in Parliament, not really representative, passed a bill which violated the constitution, the king's veto would be a safeguard.

l. 8. whose accurate, etc., their policy had been justified on abstract grounds of right, and not, as it ought to have been, on practical grounds of expedience.

l. 12. material, relevant.

l. 13. convocation of the clergy. Convocations were originally provincial synods of the clergy. They not only enacted canons, but also, up to 1665, voted subsidies to the crown, the clergy being liable only to such taxation as was imposed upon them by their synods. There are now two convocations, one for the province of Canterbury, another for that of York. The Archbishop summons convocations by authority of the crown. He presides, prorogues, and can veto decisions. Besides the Archbishops and Bishops who constitute an upper House, there is a lower House composed of the clergy of lower rank, who are elected, in the proportion of one for each diocese, in Canterbury by the beneficed clergy only, in York by all the clergy. Now that the Church is subject to the control of the State, the powers of convocation are of course extremely limited.

l. 17. when that grace is said, when that form is gone through. 'To say grace' means to ask a blessing before, or to return thanks after, meat.

l. 20. who conjure up that spirit, who summon up the sacerdotal spirit. The words properly describe a magician who forces the spirits of the departed to return by his incantations.

l. 23. prudence, As Burke has argued repeatedly in this volume, the question with regard to a right is not—Does it exist? but, Is it under the circumstances wise to exercise it? "Nothing universal can be rationally affirmed on any moral or political subject. Pure metaphysical abstraction does not belong to these matters. The lines of morality are not like the ideal lines of mathematics. They are broad and deep as well as long. They admit of exceptions: they demand modifications. These exceptions and modifications are not made by the process of logic, but by the rules of prudence. Prudence is not only the first in rank of the virtues political and moral, but she is the director, the regulator, the standard of them all. Metaphysics cannot live without definition: but prudence is cautious how she defines." ... "The practical consequences of any political tenet go a great way in deciding upon its value. Political problems do not primarily concern truth or falsehood. They relate to good or evil. What in the result is likely to prove evil is politically false: that which is productive of good, politically true. (Burke, *Appeal to the Old Whigs*.)

l. 30. in wind, literally fresh or vigorous. The expression 'out of wind' means 'out of breath,' as a man is who is exhausted by running. The argument is that our power over America is

merely nominal if we cannot compel them to do what they dislike.

P. 167, l. 2. the unity of empire, see p. 122, l. 14. the identity, etc., referring to Chatham's argument that the right to legislate does not include the right to tax.

7. wild, extravagant; foolish.

10. the Cutchery court, an Indian Court. Salem is in America.

l. 13. a spectacle of uniformity, If the methods and institutions of English Government were the same in every part of the empire, the Government would be a bad one, because the circumstances and needs of the parts are not the same. Cf. "I am afraid I have gone too far into their way of considering the formation of a constitution. They have much, but bad, metaphysics; much, but bad, geometry; much, but false, proportionate arithmetic. But if it was all as exact as metaphysics, geometry, and arithmetic ought to be, and if their schemes were perfectly consistent in all their parts, *it would make only a more fair and sightly vision*. It is remarkable that, in a great arrangement of mankind, not one reference whatsoever is to be found to anything moral or anything politic; nothing that relates to the concerns, the actions, the passions, the interests of men." (*Reflections on the Revolution in France*.)

l. 16. that we had triumphed, etc., that we had proved our right to tax America, and had lost it by taxing it.

P. 168, l. 1. the common sense of, etc., the way in which common prudence requires us to deal with America.

l. 2. There are people, etc. There are some who have attempted the impossible task of giving an exact definition of freedom, assuming that freedom is always and everywhere the same. In reality freedom means in any particular case just that absence of restraints which a people is fitted for, and which it is expedient they should have, and with which they will be contented. The terms *liberty* and *necessity* are technically applied to the will. "The doctrine called philosophical necessity is simply this, that, given the motives which are present to an individual's mind, and given likewise the character and disposition of the individual, the manner in which he will act may be unerringly inferred. The opposite doctrine is that the will is not determined, like other phenomena, by antecedents, but determines itself; that our volitions are not, properly speaking, the effects of causes, or at least have no causes which they uniformly and implicitly obey." (Mill, *Logic*, bk. vi. ch. 2.) Burke's meaning is that freedom, as applied to the will, can be precisely defined, and that with regard to the will we must

hold absolutely that it is, or is not, free; whereas there are degrees of political freedom. have split and anatomised, literally, have divided and dissected, i.e. have attempted to define it by logical analysis. Elsewhere Burke says, "Politics ought to be adjusted, not to human reasonings, but to human nature; of which the reason is but a part, and by no means the greatest part."

l. 5. **natural feeling**, Cf. l. 24 of the preceding page, "A free government is, for any practical purpose, what the people think so."

l. 6. **whether liberty**, etc. That is, whether freedom means anything more than not being without a government. Burke is quoting the arguments by which a despotic government of America was supported.

l. 9. **by nature**, prior to the institution of society and government. See on p. 82, l. 8. Of course those to whom Burke is referring denied the existence of any such natural rights.

l. 11. **corrupting religion**, "At this time the preachers, after a long intermission, entered into politics. Some of those distinguished by the name of Methodists, began to revive the doctrine of passive obedience, nearly as it had been asserted in the last century. By degrees this mode of preaching went higher." (*Annual Register*, 1776, ch. 2.) In the preceding century Sir Robert Filmer had been the most conspicuous advocate of the doctrine that the Bible required unqualified obedience to the will of an absolute monarch. Burke uses the word *redeemed* because the term *redemption* is the technical term used by theologians to describe the effect of Christ's death in freeing mankind from the consequences of the sin of Adam.

l. 15. **These shocking extremes**, etc. Such extravagant claims in favour of authority by a natural reaction call forth theories which are destructive even of legitimate authority.

l. 21. **our dependencies**, the American Colonies.

l. 22. **corrupting our understandings**, instilling false views into our minds.

l. 23. **practical liberty**, what is in fact and is felt to be freedom, as opposed to any speculative view of it. Practical liberty is that amount of freedom which a people can enjoy consistently with the maintenance of order. Burke wrote his *Reflections on the Revolution in France* to show that if the theory of natural rights is pushed to extremes, society is impossible.

l. 30. **is of so coarse a texture**, is so far from being subtle or hard to understand. The words properly describe coarse as distinguished from fine-spun cloth.

P. 169, l. 3. **The extreme of liberty**, is, of course, anarchy. "The effect of liberty to individuals is that they may do what they please; we ought to see what it will please them to do, before we risk congratulations which may be soon turned into complaints." (*Reflections on the Revolution in France.*) See note on page 121, l. 11. The following passage will illustrate the text:—"Government is not made in virtue of natural rights which may and do exist in total independence of it; and exist in much greater clearness, and in a much greater degree of abstract perfection; but their abstract perfection is their practical defect. By having a right to everything they want everything. Government is a contrivance of human wisdom to provide for human wants. Men have a right that these wants should be provided for by this wisdom. Among these wants is to be reckoned the want, out of civil society, of a sufficient restraint upon their passions. Society requires not only that the passions of individuals should be subjected, but that even in the mass and body as well as in the individuals the inclination of men should frequently be thwarted, their will controlled, and their passions brought into subjection. This can only be done by a *power out of themselves*; and not, in the exercise of its function, subject to that will and to those passions which it is its office to bridle and subdue. In this sense the restraints on men, as well as their liberties, are to be reckoned among their rights. But as the liberties and the restrictions vary with times and circumstances, and admit of infinite modification, they cannot be settled upon any abstract rule; and nothing is so foolish as to discuss them upon that principle." The student should weigh carefully every word of such passages as these. They are characteristic examples of Burke's political method.

l. 12. **cool, dispassionate.**

l. 20. **and peace**, etc. Attempts to fetter liberty will naturally provoke resistance.

l. 22. **as the sabbath**, etc. The people do not exist for the sake of the government, but the government for the sake of the people, because, as explained in the passage quoted above, government is an institution for the supply of human wants. "And it came to pass, that Jesus went through the corn fields on the sabbath day; and his disciples began, as they went, to pluck the ears of corn. And the Pharisees said unto him, Behold, why do they on the sabbath day that which is not lawful? ... And he said unto them, *The sabbath was made for man, and not man for the sabbath.*" (*Mark*, ii. 23.)

l. 24. **in its exercise at least**, God willed the institution and existence of governments; but the powers of governments are to be exercised in the public interest.

l. 30. **one sure symptom**, etc., when people begin to ask why governments should exist, or what are the limits to the power of government, it shows that they are discontented with their own government. See on p. 121, l. 9.

l. 35. **distempered, diseased, disordered**. When people are in a rebellious mood they will not be quieted by a theory proving the right of government to do what they dislike. The argument that the right to tax is one of the rights of a sovereign power did not induce the Americans to pay the taxes which England imposed on them. See on p. 58, l. 31.

P. 170, l. 3. **towards laying them down**, that is, the only way to prevent the Americans from fighting us was to give them what they wanted.

l. 12. **in opinion and practice**, they must think themselves free and be, as a matter of fact, contented. Whether their condition tallies with any abstract definition of freedom or not does not matter. If they are contented, the Empire is safe: if they are not, 'they will not be provinces at all,' that is, they will no longer continue members of the Empire but will make themselves independent states.

l. 19. **juvenile heat, youthful passion. assuming to themselves**, etc., being Englishmen themselves they will be as proud as the English in England.

l. 23. **are much above my capacity, are much cleverer than I** am, because what is a great difficulty to me is no difficulty to them. This is ironical. Burke's real opinion is given in the following words—'They are not fitted to deal with the American problem, because they are unacquainted with the difficulties of it.'

l. 25. **the suit**, the dispute between England and America. Supposing it to be proved that a sovereign power had the right to tax, America would not on that account consent to be taxed. She would rather throw off English sovereignty. For the meaning of 'to compromise,' see on p. 57, l. 14.

l. 28. **roundly, absolutely, without qualification**.

l. 33. **state, statement**.

P. 171, l. 7. **a single kingdom**, viz., England.

l. 10. **a guardian**, etc., see on p. 18, l. 10.

l. 14. **a new object**, viz., the Colonial Empire.

l. 18. **assemblies**, see on p. 81, l. 18.

l. 32. **the great nations**, viz., the Colonies. As their own power and importance increased, they came to think more highly of their representative assemblies.

l. 35. **parochial**, local : literally affecting a parish. The word parish, from the Greek *paroikia*, a neighbourhood, means in England an ecclesiastical district.

P. 172, l. 3. **Providence**, because God ordained this growth of America.

l. 6. **English colonies**, etc. Englishmen will insist on living in freedom in whatever part of the world they may be. Burke says elsewhere, "The people who are to be the subjects of these restraints are descendants of Englishmen, and of a high and free spirit. To hold over them a government made up of nothing but restraints and penalties, and taxes in the granting of which they can have no share, will neither be wise, nor long practicable. People must be governed in a manner agreeable to their temper and disposition : and men of free character and spirit must be ruled with, at least, some condescension to this spirit and this character. The British colonist must have something which will distinguish him from the colonists of other nations."

l. 10. **imperceptible habits**, etc., cf. 'The Act grew with their growth,' etc. ; 'and they were confirmed in obedience to it even more by usage than by law.' P. 25.

l. 11. **these two legislatures**, namely, the Imperial Parliament and the Colonial Assemblies. Cf. 'this double constitution,' l. 26.

P. 173, l. 4. **breach**, rupture, quarrel. It is from the verb 'to break.' For the phrase quoted below, 'the colonies fell,' etc., see on p. 68, l. 17.

l. 14. **puzzled**, intricate.

l. 19. **a plan of pacification**, He refers to the repeal of the Stamp Act, and the passing of the Declaratory Act by Lord Rockingham.

l. 24. **dignity**, see p. 13, l. 27 *seqq.* By saying that a rude shock was not given to the dignity of Parliament he means that the omnipotence of Parliament was maintained by the Declaratory Act, though Parliament made a voluntary concession to the Americans in the repeal of the Stamp Act.

l. 27. **clashing pretensions**, conflicting claims.

l. 36. **for their pacification**, for quieting the troubles of the time.

P. 174, l. 4. **prejudices**, viz., a regard for the authority and dignity of Parliament.

l. 8. **High dignity**, that, namely, of the Americans.

l. 9. **a benignity**, etc., viz., the kindness of England, to whom the Americans had long looked up.

l. 14. **in the bosom**, etc., for the security of their privileges they used to trust to our love and to our power. They trusted us as a child trusts its father.

l. 27. **tacit faith**, an implied promise. The repeal of the Stamp Act was virtually an undertaking on the part of England that duties of that kind should never be imposed again. When this undertaking was violated by Townshend, the Americans naturally would not be contented with anything but a positive guarantee that they should never again be subjected to such taxation. Burke is referring to the proposals made by him in his speech on Conciliation with America. See on p. 98, l. 6.

l. 29. **soreness**, the word which properly describes the painfulness of a wound is used to describe the pain which accompanies the sense of ill-treatment. Men make formal agreements with one another because they cannot trust one another.

l. 34. **give way to**, bring on. The reader is by this time familiar with the argument that concession would encourage America to renounce English sovereignty altogether, and with Burke's counter argument that the loyalty and affection of America would be in proportion to the kindness with which she was treated.

P. 175, l. 6. **under a separate establishment**, with an independent government of her own.

l. 10. **to their ruin**, that is, the result of the connection will be their ruin.

l. 18. **fond**, foolish. Cf. p. 129, l. 5. By a Parliamentary revenue he means a revenue from taxes imposed by Parliament on America.

l. 20. **chimerical**, fanciful, imaginary. See on p. 131, l. 10. **breaking**, taming, subduing. The word is properly applied to the training of horses.

l. 22. **that military force**, etc. See on p. 136, l. 2.

l. 27. **your partiality**, the value which your regard for me makes you attach to my opinions.

l. 29. **to it**, that is, to giving an account to my constituents of my conduct in Parliament. Burke held very decided views as to the independence of a Member of Parliament, and he declared them openly in a speech after his election at Bristol. "His unbiassed opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you. Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion. *Authoritative instructions, mandates issued*, which the member is bound blindly

and implicitly to obey, to vote, and to argue for, though contrary to the clearest convictions of his own conscience—these are things utterly unknown to the laws of this land, and which arise from a fundamental mistake of the whole order and tenour of our constitution.”

l. 33. **Would to God**, see on p. 5, l. 15.

l. 36. **warm, zealous**. He refers to the Tory party.

P. 176, l. 21. **the only thing**, my honesty.

l. 24. **a Christian man**, because the Christian religion enforces the duty of humility.

l. 27. **in trial**, when put to the test. He who boasts most loudly of his honesty is generally the first to succumb to temptation.

l. 36. **aspersions**, see on p. 1, l. 17. For Burke's views upon party, see on p. 49, l. 24. In his pamphlet on the *Present Discontents* Burke says that those who dreaded the successful opposition of a united party tried to discredit party altogether by identifying it with faction. **In the way**, etc. I take the Whig view of the constitution, and I join with the Whigs in attempting to preserve it.

P. 177, l. 9. **the Savilles**, etc. Sir George Savile, one of the members for Yorkshire, was a conspicuous member of the opposition during the government of Lord North. Burke says elsewhere that ‘Sir George Savile's house was always open to every deliberation favourable to the liberty or the commerce of his country.’ Mr. Dowdeswell has already been referred to as Chancellor of the Exchequer in Lord Rockingham's Ministry. Wentworth is the family name of the Marquis of Rockingham. Bentinck is the family name of the Dukes of Portland. The peerage was created by William III. for his friend Bentinck, who was born in Holland. The third Duke entered the Rockingham Cabinet in 1765, and succeeded the Marquis of Rockingham as leader of the party. Lenox is the family name of the Dukes of Richmond, and Cavendish of the Dukes of Devonshire. The Dukes of Richmond, Devonshire, and Manchester were foremost amongst the opponents of Lord North's American policy. They all signed the protest delivered by certain peers against the adoption of the address of the House of Lords in reply to the King's Speech at the opening of Parliament in 1776. The protest was probably written by Burke. It concludes thus:—“We cannot therefore consent to an address which may deceive his Majesty and the public into a belief of the confidence of this House in the present ministers, who have disgraced Parliament, deceived the nation, lost the colonies, and involved us in a civil war against our clearest interests, and upon the most unjustifiable

grounds, wantonly spilling the blood of thousands of our fellow-subjects." The Cavendishes have always been prominent Whigs. Admirals Keppel and Saunders distinguished themselves in the Seven Years' War. There is an affectionate panegyric on Keppel at the close of Burke's *Letter to a Noble Lord*. Both Keppel and Saunders had been Lords of the Admiralty in Pitt's government. "For Admiral Keppel Burke had a most warm regard. Political connexion improved the acquaintance into close and lasting friendship. The Admiral felt reciprocal admiration, and had, as well as his old commander Sir Charles Saunders and others of the party, declared of the orator (Burke) that 'if the country were to be saved, it would be only by the virtue and abilities of that wonderful man.'" (Prior's *Life of Burke*.)

l. 16. **grafting public principles, etc.** Cf. "The Romans believed private honour to be the great foundation of public trust; that friendship was no mean step towards patriotism; that he who, in the common intercourse of life, showed he regarded somebody besides himself, when he came to act in a public situation, might probably consult some other interests than his own. It was their wish to see public and private virtues, not dissonant and jarring, and mutually destructive, but harmoniously combined, growing out of one another in a noble and orderly gradation, reciprocally supporting and supported. ... The Whigs of Queen Anne's days believed that the only proper method of rising into power was through hard essays of practised friendship and experimented (tried) fidelity. ... It is our business to bring the dispositions that are lovely in private life into the service and conduct of the commonwealth; so to be patriots, as not to forget we are gentlemen." (*Present Discontents*.) 'To graft' means literally 'to insert a cutting from one tree in the stem of another.'

l. 20. **have arranged himself**, he could not do better than join the ranks of such men.

l. 23. **he knows nothing of the world**, he has no knowledge of mankind. 'Knowledge of the world' is a common expression for practical experience of men and affairs.

l. 25. **connexion**, frequently used by Burke as equivalent to *party*.

l. 27. **a greater distance**, I have not been so closely connected with them.

l. 33. **for the worst purposes, viz., to increase the power of the Court by discrediting public men.**

l. 34. **credulity of envy**. Men are willing to believe any evil of those of whose position and power they are jealous. Cf. "We must soften into a credulity below the weakness of infancy to

think all men virtuous. We must be tainted with a malignity truly diabolical to believe all the world to be equally wicked and corrupt. Men are in public life as in private, some good, some evil. The elevation of the one, and the depression of the other, are the first objects of all true policy." (*Present Discontents*.)

P. 178, l. 1. *lure*, attraction. It meant properly a decoy used to attract hawks, and so came to signify generally a bait, or a temptation.

l. 4. *commerce*, used, on the analogy of the Latin *commercium*, to signify *intercourse*.

l. 7. *decent*, becoming. *regulated*, kept within due bounds.

l. 13. *The smallness of the quantity*, etc. The language is suggested by money, the purchasing power of which is great in proportion to its scarcity.

l. 15. *ill*, bad. See on p. 6, l. 31. A good man knows that men like himself do not act as bad men do.

l. 16. *cant*, see on p. 18, l. 29.

l. 17. *Titius and Mævius*, one man and another. The names were used in Latin, like John Doe and Richard Roe in English, to signify the imaginary parties to a fictitious law-suit.

l. 18. *mountebank*, a quack, a humbug. The word means, literally, one who *mounts a bench*, and offers quack medicines for sale.

l. 19. *my credulity*, etc. A man is not to be accounted dishonest simply because I am ready to believe that he is so, or because I am not able to distinguish an honest from a dishonest man.

l. 28. *only one*, viz., himself, for it is only about himself that he can speak with certainty.

l. 29. *whom I have disrelished*, whom I have disliked; literally, who have not been to my taste. Burke means that one would not willingly hold such a mean opinion of mankind as to think that an honest man does not exist. With the whole of this passage the reader should compare the close of the *Present Discontents*. Cf. in particular—"Connexions in politics are essentially necessary for the full performance of our public duty, accidentally liable to degenerate into faction... The wise men of Queen Anne's time were too well principled in those maxims upon which the whole fabric of public strength is built, to be blown off their guard by the breath of every childish talker. They were not afraid that they should be called an ambitious Junto, or that their resolution to stand or fall together should, by placemen, be interpreted into a scuffle for place... Such a generous contention for power, on such manly and honourable

maxims, will easily be distinguished from the mean and interested struggle for place and emolument."

1. 33. the missionaries, those who are *sent* abroad to publish the doctrines which are in favour with the Court. The Court was strong in proportion as public men were distrusted.

P. 179, l. 1. This moral levelling, etc. If all statesmen are equally unprincipled, it is hopeless to expect that they will protect the interests of the people as against the Crown.

1. 2. practical, rendered as a matter of fact, because resistance is thought to be hopeless, as distinguished from obedience 'by opinion,' that is, rendered because it is thought that the King has a divine right to it.

1. 3. pliant, literally, bending. The clergy, especially of an established church, will bend and suit their opinions to the pleasure of the Court. The church as a whole had always been on the Tory side. Macaulay says that the theories which Filmer afterwards formed into a system became the badge of the most violent class of Tories and high churchmen. See on p. 168, l. 11. Cf. "Liberty of thinking, and of expressing our thoughts, is always fatal to priestly power, and to those pious frauds on which it is commonly founded, and this privilege can never be enjoyed, at least has never yet been enjoyed, but in a free government. Hence it must happen, in such a constitution as that of Great Britain, that the established clergy, while things are in their natural situation, will always be of the Court-party; as, on the contrary, dissenters of all kinds will be of the country-party, since they can never hope for that toleration which they stand in need of but by means of our free government. All princes that have aimed at despotic power have known of what importance it was to gain the established clergy, as the clergy, on their part, have shown a great facility on entering into the views of such princes." (Hume, *Essay IX.*)

1. 6. civil, by constitutional means, as opposed to armed resistance.

1. 8. by the strong ties, etc. If the people have none whom they can trust to fight their battles for them, they will try what they can get by submission.

P. 180, l. 1. even by, etc. Their mere dislike of arbitrary power will make them join those who are opposed to the absolutism of the Court.

1. 3. will catch, The metaphor is borrowed from an infectious disease.

1. 5. -icely, carefully, minutely.

1. 8. its infamy, that is, the infamy due to guilt and apostasy.

convicted and declared, proved and open, as opposed to the motives of a man which can be known to none but himself. *apostasy* is a Greek word meaning revolt, or desertion. Here it means 'abandonment of political principle.'

l. 15. *conservatory*, the word is generally used to denote a greenhouse, in which tender plants are kept. That an honest party is a safeguard of *free* principles follows from the statement in the previous page that moral levelling is a *servile* principle.

l. 23. *dissipated*, scattered. See on p. 61, l. 11.

l. 31. *sore*, painful. A good man can easily be disinterested; but he finds it hard to bear when he is actually discredited for doing what he believes to be right. Burke is thinking of the charge of abetting rebellion which was levelled against the defenders of America.

l. 36. *the relish of*, the liking for. It is evident throughout the book how deeply concerned Burke was for the effect upon English liberties of a victory over America.

P. 181, l. 1. *The principles of our forefathers*, Cf. p. 12, l. 31. "The feelings of the Colonies," etc., and see the last lines of this Letter.

l. 3. *our children*, the Americans. *The faults*, etc., viz., an excessive suspiciousness of authority.

l. 5. *the rankness*, the rich growth. The word is generally applied to the rich growth of weeds. Burke has already said that the enemies of America, in blaming the conduct of the Americans who were only resisting an illegitimate exercise of authority, must extol servitude and depreciate a spirit of independence.

l. 9. *superstitious*, unreasonable. *panic*, see on p. 100, l. 25.

l. 10. *foreigners and savages*, Cf. p. 157, ll. 1 *seqq.*

l. 11. *inevitable to ourselves*, Cf. p. 136, l. 1.

l. 15. *abate*, minimize the offence of. See on p. 98, l. 8.

l. 21. *Those ingenuous*, etc. Those upright but sensitive men, who, though they can bear disappointment and defeat, yet cannot endure disgrace, will retire from public life altogether when they find that they are discredited for pursuing the one policy which they regard as honourable.

l. 26. *more robust*, less feeling, that is, sensitive, than those mentioned in the preceding sentence.

l. 27. *make*, constitution, temperament. *pay some of their court to power*, try to rise to power partly through their influence with the people.

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l. 28. **substitute the voice**, etc., care more for temporary popularity than for a reputation for political integrity.

l. 32. **Many things**, etc. What these things were Burke states at length in his pamphlet on *The Present Discontents*, published in 1770. In his opinion the chief circumstances were, the immense and growing influence of the Court, the servility of Parliament, and, in particular, the abdication by the House of Commons of its proper function of a control on the executive government, and the supineness of the people.

l. 34. **has done more**, viz., by driving Englishmen to depreciate freedom, as described in the paragraph immediately preceding this.

P. 182, l. 6. **frighted**, we should say frightened.

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